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CALL TO ORDER

The Senate was called to order by President Lee at 10:16 a.m. A quorum present—39:

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Excused: Senator Dawson

PRAYER

The following prayer was offered by the Rev. Dr. Albert Simpson, Jr., Pastor, Philemon Baptist Church, Jacksonville:

“Our Father which art in heaven, hallowed be thy name. Thy kingdom come, thy will be done on earth as it is in heaven. Give us this day our daily bread; and forgive us our debts, as we forgive our debtors; and lead us not into temptation, but deliver us from evil; for thine is the kingdom, and the power, and the glory, forever.”

Our Father, we thank you for your omnipresence and your omnipotent power. We petition you with our prayers of intercession, supplication and thanksgiving for this legislative body and the executive body, this great state, our cities and the land and country.

Our Father, continue to guide them as they continue to give you honor. We praise you for this legislative session. Amen, and we ask this in thy name.

PLEDGE

Senate Pages April Baucham of Monticello; Dara Silverman of Miami; Jonathan Barrett-Pinnock of Plantation; and Martha Hodgson of Sarasota, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Gregory James of Largo, sponsored by Senator Jones, as doctor of the day. Dr. James specializes in Family Practice.

ADOPTION OF RESOLUTIONS

At the request of Senator Miller—

By Senator Miller—

SR 798—A resolution commending the School District of Hillsborough County on winning the 2005 Urban School Board Excellence Award of the National School Boards Association.

WHEREAS, the National School Boards Association is a national federation of state school boards associations representing more than 95,000 school board members who govern the nation’s public schools, and

WHEREAS, the association’s Council of Urban Boards of Education (CUBE) seeks to foster excellence and equity in public elementary and secondary education in urban areas and annually names a school district that best demonstrates excellence in four core areas: board governance, closing the achievement gap, academic achievement, and community engagement, and

WHEREAS, the 2005 award has been won by the Hillsborough County School District, the ninth-largest school district in the United States, encompassing Tampa as well as suburban and rural areas and serving 192,000 students among whom more than 70 languages are spoken, and

WHEREAS, in making the award, Anne L. Bryant, executive director of the National School Boards Association, said: “Hillsborough County School District has shown terrific leadership by defining its priorities and committing itself to public engagement and, in doing so, finding a winning formula for creating high-performing students at all levels,” and

WHEREAS, the Hillsborough County School District achieved its success through energetic board leadership, innovative thinking, skillful teacher recruitment, and vigorous outreach programs that involved community members and assisted parents in helping their children to succeed in school, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Hillsborough County School District is commended for its exemplary efforts and success in improving educational opportunity and success for the children of Hillsborough County schools.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Hillsborough County School District as a token of the sentiments of the Florida Senate.

—**SR 798** was introduced, read and adopted by publication.

At the request of Senator Miller—

By Senator Miller—

SR 1026—A resolution recognizing the City of Bradenton on being selected one of the One Hundred Best Communities in America for Young People.

WHEREAS, this year “America’s Promise - The Alliance for Youth” teamed up with Capital One Financial Corporation in a first-ever national competition to identify the best communities in America for young people, and

WHEREAS, the criteria by which communities were to be judged included community support of children and youth, resources provided to children and youth in the community, and consequent outcomes for children and youth, and

WHEREAS, these criteria were based on the following five promises to children - caring adults, safe places, a healthy start, effective education, and opportunities to help others, and

WHEREAS, the City of Bradenton met all these criteria to become designated one of the One Hundred Best Communities for Young People in the nation, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes and commends the achievements of the City of Bradenton in providing a caring, safe, healthy, and supportive environment for children and young people and applauds its consequent recognition in receiving this honor.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mayor Wayne Poston of the City of Bradenton.

—**SR 1026** was introduced, read and adopted by publication.

At the request of Senator Peaden—

By Senator Peaden—

SR 1642—A resolution commending the osteopathic physicians of this state and recognizing April 19, 2006, as “Osteopathic Medicine Day.”

WHEREAS, osteopathic physicians provide health care services that account for more than 100 million patient visits in this country each year, and

WHEREAS, this state has nine accredited osteopathic hospitals, two osteopathic medical colleges, and the fourth largest osteopathic physician population in the United States, and

WHEREAS, osteopathic manipulation of the musculoskeletal system is a viable and proven technique for many diagnoses and treatments and provides an alternative to many drug therapies, and

WHEREAS, osteopathic physicians provide comprehensive medical care, including preventive medicine, diagnoses, and the appropriate use of drugs, surgery, manipulation, and hospital referrals, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate commends the osteopathic physicians of this state for their contributions to the health and welfare of the residents of this state and recognizes April 19, 2006, as “Osteopathic Medicine Day.”

—**SR 1642** was introduced, read and adopted by publication.

At the request of Senator Rich—

By Senator Rich—

SR 2268—A resolution recognizing November 13-19, 2006, as “Spinal Cord Injury Awareness Week” in Florida.

WHEREAS, the central nervous system is made up of two parts, the brain and the spinal cord, and

WHEREAS, the spinal cord is considered the “information superhighway” because it contains bundles of neurons that carry signals to and from the brain, controlling many bodily functions, and

WHEREAS, after a spinal cord injury occurs, damaged neurons can no longer emit signals to or from the brain, and the injured person suffers permanent sensory loss and muscle control, and

WHEREAS, currently there are approximately 250,000 to 400,000 individuals in the United States who have sustained a spinal cord injury, and

WHEREAS, it is estimated that the annual incidence of spinal cord injury in the United States, not including those who die at the scene of an accident, is approximately 11,000 new cases each year, and

WHEREAS, the most common age for spinal cord injuries is 19 years old, with 30 percent of all injuries occurring between the ages of 17 and 23, and 53 percent of all injuries occurring between the ages of 16 and 30, and

WHEREAS, more than 80 percent of spinal cord injuries occur in men and 20 percent occur in women, and

WHEREAS, the four leading causes of spinal cord injury for both men and women are auto accidents, falls, gunshot wounds, and recreational sporting activities, and

WHEREAS, the average annual cost of care for individuals with spinal cord injury ranges from \$250,000 to \$700,000 the first year after injury with an estimated lifetime cost between \$500,000 and \$3 million, depending on the severity of injury, and

WHEREAS, in the past 15 years, scientists have made major breakthroughs in understanding how to encourage damaged neurons to regenerate and restore function and how to improve the quality of life for patients in areas such as infertility and pain management, and

WHEREAS, the Darrell Gwynn Foundation has worked to help fund research aimed at finding a cure for paralysis, as well as improving the overall quality of life for individuals with paralysis, and

WHEREAS, the Darrell Gwynn Foundation will spend the week of November 13-19 working with local governments and schools to educate Floridians about the causes and treatments for spinal cord injuries, as well as informing residents on how to prevent these injuries from taking place, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the week of November 13-19, 2006, is recognized as “Spinal Cord Awareness Week” in the State of Florida.

—**SR 2268** was introduced, read and adopted by publication.

At the request of Senator Crist—

By Senators Crist and Sebesta—

SR 2370—A resolution recognizing April 18, 2006, as “University of South Florida Day.”

WHEREAS, on December 18, 1956, the Fowler Avenue property in Hillsborough County was approved as the site for the new university that had been created by the Florida Legislature in HB 1007, which became law on June 18, 1955, and

WHEREAS, USF opened as the first independent state university conceived, planned, and built in the 20th century, initially admitting 1,997 students, and

WHEREAS, USF has blossomed into a multi-campus Research I Metropolitan Institution, with campuses in Hillsborough, Pinellas, Sarasota-Manatee, and Polk Counties, and

WHEREAS, USF currently serves more than 43,000 students; offers over 7,000 courses leading to 88 Baccalaureate degrees, 87 Master's degrees, and 39 Ph.D. degrees; and boasts more than 181,000 alumni, with over 90,000 of them living, working, and volunteering in the Tampa Bay Area, and

WHEREAS, USF brings the force of a \$3.2 billion annual economic impact to the region it serves, and

WHEREAS, the USF Bulls are the Tampa Bay Region's Division 1-A Home Team, bringing top-level competition to the area as members of the Big East Conference, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate congratulates the University of South Florida as it celebrates its 50th Anniversary in 2006 and recognizes April 18 as "University of South Florida Day" in the State Capitol and throughout the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the President of the University of South Florida as a token of the sentiments of the Florida Senate.

—**SR 2370** was introduced, read and adopted by publication.

At the request of Senator Wilson—

By Senator Wilson—

SR 2820—A resolution recognizing the week of April 16-22, 2006, as "Minority Cancer Awareness Week" in the State of Florida.

WHEREAS, there has been recent progress in the fight against cancer, yet many Floridians still suffer unequal rates of cancer incidence and mortality, and medically underserved populations have inadequate access to quality cancer prevention, screening, treatment, and rehabilitation services, and

WHEREAS, certain populations of Floridians, such as African Americans, Hispanics, Latinos, and the medically uninsured, experience higher rates of cancer incidence and death, and

WHEREAS, even when poverty levels are accounted for, African Americans, American Indians, Asian Americans, and Pacific Islanders have lower 5-year-cancer-survival rates than whites who are not of Hispanic descent, and

WHEREAS, among all racial and ethnic groups, African Americans experience the highest death rate from all cancers and the highest death rate from lung, bronchial, colorectal, female breast, prostate, and uterine cancers, and

WHEREAS, Hispanics and Latinos are the fastest-growing segment of the nation's population, and Hispanics are now the largest minority population in Florida, and

WHEREAS, almost 35 percent of the Hispanic and Latino population have no health care coverage and almost 31 percent have no access to regular medical care, making Hispanics and Latinos the most medically underserved population among all racial and ethnic groups, and

WHEREAS, 19.6 percent of adult Floridians have no health care coverage and frequently lack access to quality health care, including potentially lifesaving services to screen for, detect, and treat cancer, and

WHEREAS, minority cancer awareness initiatives, such as those promoted by the American Cancer Society and Florida's recognition of the nationally observed Minority Cancer Awareness Week, will encourage efforts to reduce ethnic, racial, and socioeconomic cancer disparities, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes April 16-22, 2006, the third week of the month, as "Minority Cancer Awareness Week" in the State of Florida, and urges all Floridians to work with cancer-education providers, such as the American Cancer Society, to increase awareness of the disparities that minority populations face in the fight against cancer.

—**SR 2820** was introduced, read and adopted by publication.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 5001 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Negron—

HB 5001—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2006, and ending June 30, 2007, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Carlton, by two-thirds vote **HB 5001** was withdrawn from the Committee on Ways and Means and taken up instanter without objection.

On motion by Senator Carlton, by two-thirds vote **HB 5001** was read the second time by title.

Senator Carlton moved **Amendment 1** which was adopted.

Pursuant to Rule 7.6, **Amendment 1** constituted an entirely new bill and was not published in the Journal.

On motions by Senator Carlton, by two-thirds vote **HB 5001** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dockery	Posey
Alexander	Fasano	Pruitt
Argenziano	Geller	Rich
Aronberg	Haridopolos	Saunders
Atwater	Hill	Sebesta
Baker	Jones	Siplin
Bennett	King	Smith
Bullard	Klein	Villalobos
Campbell	Lawson	Webster
Carlton	Lynn	Wilson
Clary	Margolis	Wise
Constantine	Miller	
Crist	Peadar	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Garcia

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed HB 5003 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Negron—

HB 5003—A bill to be entitled An act implementing the 2006-2007 General Appropriations Act; providing legislative intent; providing for use of specified calculations with respect to the Florida Education Finance Program; amending s. 1004.065, F.S.; providing a limitation on

university and direct-support organization financings; amending s. 287.057, F.S.; authorizing the Department of Children and Family Services to contract with a private provider for a sexually violent predator facility; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the respective department; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing transfer of certain funds between the courts and the Justice Administrative Commission to meet certain shortfalls in due process services appropriations; providing for expenditure of funds from unallocated general revenue to offset deficiencies in due process services; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 112.061, F.S.; providing for computation of travel time and reimbursement for public officers' and employees' travel; directing the Department of Environmental Protection to make specified awards of grant moneys for pollution control purposes; directing the Department of Environmental Protection to conduct a pilot program for expedited site evaluation and cleanup of port and airport facilities for redevelopment and expansion; providing guidelines for such program; creating the Caloosahatchee-St. Lucie Rivers Corridor Advisory Council; providing a definition; providing for appointment of members, per diem and travel expenses, staff, and duties of the advisory council; exempting staff from pt. II of ch. 110, F.S., relating to the Career Service System; requiring recommendations to the Legislature; requiring a report to the Legislature and Governor by a specific date; providing for expiration of the advisory council; creating the Fuel Distributors Emergency Power Assistance Grant Program within the Department of Community Affairs; amending s. 373.1961, F.S.; requiring the water management districts to fund certain alternative water supply projects; amending ss. 373.459 and 403.890, F.S.; requiring the water management districts to fund certain surface water improvement projects; amending s. 403.1838, F.S.; requiring the Department of Environmental Protection to fund certain wastewater projects; amending s. 120.551, F.S.; continuing Internet publication of certain notices of the Department of Environmental Protection and the Board of Trustees of the Internal Improvement Trust Fund; amending s. 502.015, F.S.; authorizing moneys in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services; amending s. 11.151, F.S.; increasing the contingency fund for the legislative presiding officers; amending s. 320.08058, F.S.; authorizing proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 253.034, F.S.; authorizing deposit of funds from the sale of property by the Department of Highway Safety and Motor Vehicles located in Palm Beach County; amending s. 402.3017, F.S.; authorizing the Agency for Workforce Innovation to administer Teacher Education and Compensation Helps (TEACH) scholarship program; amending s. 216.292, F.S.; authorizing the Governor to recommend fixed capital outlay projects funded by Federal Emergency Management Agency grants; providing for review by the Legislative Budget Commission; authorizing state agencies to make cash awards to state employees demonstrating satisfactory service to the agency or the state; providing limits on such awards; requiring a report with respect thereto; providing finding of best interest of the state for authorization and issuance of certain debt; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing for future repeal or expiration of various provisions; providing for reversion of certain provisions; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2006-2007 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing effective dates.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Carlton, by two-thirds vote **HB 5003** was withdrawn from the Committee on Ways and Means and taken up instantly without objection.

On motion by Senator Carlton, by two-thirds vote **HB 5003** was read the second time by title.

Senator Carlton moved the following amendment which was adopted:

Amendment 1 (194982)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for fiscal year 2006-2007.*

Section 2. *In order to implement Specific Appropriations 7, 8, and 91-97 of the 2006-2007 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2006-2007 fiscal year in the document entitled "Public School Funding The Florida Education Finance Program" dated March 24, 2006, and filed with the Secretary of the Senate are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of the Florida Statutes, in making appropriations for the Florida Education Finance Program.*

Section 3. In order to implement Specific Appropriations 1594 and 1596 of the 2006-2007 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—Whenever there exists in any fund provided for by s. 215.32 a deficiency which would render such fund insufficient to meet its just requirements, and there shall exist in the other funds in the State Treasury moneys which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds, the Governor may order a temporary transfer of moneys from one fund to another in order to meet temporary deficiencies in a particular fund without resorting to the necessity of borrowing money and paying interest thereon.

(2) Notwithstanding subsection (1) and for the 2006-2007 ~~2005-2006~~ fiscal year only, the repayment period for funds temporarily transferred in fiscal year 2004-2005 to meet deficiencies resulting from hurricanes striking this state in 2004 may be extended until grants awarded by the Federal Emergency Management Agency for FEMA Disaster Declarations 1539-DR-FL, 1545-DR-FL, 1551-DR-FL, and 1561-DR-FL are received. This subsection expires July 1, 2007 ~~2006~~.

Section 4. *In order to fulfill legislative intent regarding the use of funds contained in Specific Appropriations 720, 731, 741, and 1167 of the 2006-2007 General Appropriations Act, the Department of Corrections and the Department of Juvenile Justice may expend appropriated funds to assist in defraying the costs of impacts that are incurred by a municipality or county and associated with opening or operating a facility under the authority of the respective department which is located within that municipality or county. The amount that is to be paid under this section for any facility may not exceed 1 percent of the facility construction cost, less building impact fees imposed by the municipality or by the county if the facility is located in the unincorporated portion of the county. This section expires July 1, 2007.*

Section 5. In order to implement Specific Appropriations 710-805 and 833-847A of the 2006-2007 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter on increasing the number of authorized positions, and for the 2006-2007 ~~2005-2006~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the *March 21, 2006 February 14, 2005*, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from *unallocated general revenue* ~~the General Revenue Fund or the Working Capital Fund~~ sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to the authority granted in this subsection shall be subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2007 ~~2006~~.

Section 6. *In order to implement Specific Appropriations 875, 876, 878, 879, and 3275 of the 2006-2007 General Appropriations Act, if a deficit is projected by the Justice Administrative Commission or the state courts in any specific appropriation provided for due process services, the Governor or the Chief Justice of the Supreme Court, respectively, may submit a budget amendment for consideration by the Legislative Budget Commission to authorize the expenditure of funds from unallocated general revenue to offset such deficiency. Any budget amendment submitted by the Governor to the Legislative Budget Commission shall contain certification by the Justice Administrative Commission that all actions required by s. 29.015, Florida Statutes, have been completed and that no funds exist in any contingency fund appropriation available to the entity projected to experience the deficiency. Any budget amendment submitted by the Supreme Court shall contain certification that the court has completed all actions required by s. 29.016, Florida Statutes, and that no funds exist in any contingency fund appropriation available to the state courts system. This section expires July 1, 2007.*

Section 7. *In order to implement Specific Appropriations 1321 and 1325 of the 2006-2007 General Appropriations Act, the Department of Legal Affairs is authorized to expend appropriated funds in Specific Appropriations 1321 and 1325 on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years.*

Section 8. *In order to implement the appropriation of funds in Special Categories-Risk Management Insurance of the 2006-2007 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds appropriated in the appropriation category "Special Categories-Risk Management Insurance" of the 2006-2007 General Appropriations Act between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2007.*

Section 9. *In order to implement the appropriation of funds in Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract of the 2006-2007 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds appropriated in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract" of the 2006-2007 General Appropriations Act between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2007.*

Section 10. *In order to implement sections 2-7 of the 2006-2007 General Appropriations Act, paragraph (c) of subsection (5) and paragraph (d) of subsection (6) of section 112.061, Florida Statutes, are amended to read:*

112.061 Per diem and travel expenses of public officers, employees, and authorized persons.—

(5) COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT.—For purposes of reimbursement and methods of calculating fractional days of travel, the following principles are prescribed:

(c) For the 2006-2007 ~~2005-2006~~ fiscal year only and notwithstanding the other provisions of this subsection, for Class C travel, a state traveler shall not be reimbursed on a per diem basis nor shall a traveler receive subsistence allowance. This paragraph expires July 1, 2007 ~~2006~~.

(6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.—For purposes of reimbursement rates and methods of calculation, per diem and subsistence allowances are divided into the following groups and rates:

(d) For the 2006-2007 ~~2005-2006~~ fiscal year only and notwithstanding the other provisions of this subsection, for Class C travel, a state traveler shall not be reimbursed on a per diem basis nor shall a traveler receive subsistence allowance. This paragraph expires July 1, 2007 ~~2006~~.

Section 11. *In order to implement Specific Appropriations 2231 and 2861-2869 of the 2006-2007 General Appropriations Act, paragraph (a) of subsection (3) and subsection (6) of section 287.17, Florida Statutes, are reenacted to read:*

287.17 Limitation on use of motor vehicles and aircraft.—

(3)

(a) The term "official state business" may not be construed to permit the use of a motor vehicle for commuting purposes, unless special assignment of a motor vehicle is authorized as a perquisite by the Department of Management Services, required by an employee after normal duty hours to perform duties of the position to which assigned, or authorized for an employee whose home is the official base of operation.

(6) It is the intention of the Legislature that persons traveling on state aircraft for purposes consistent with, but not necessarily constituting, official state business may travel only when accompanying persons who are traveling on official state business and that such persons shall pay the state for all costs associated with such travel. Notwithstanding paragraph (3)(a), a person traveling on state aircraft for purposes other than official state business shall pay for any trip not exclusively for state business by paying a prorated share of all fixed and variable expenses related to the ownership, operation, and use of such aircraft.

Section 12. *The amendment of s. 287.17, Florida Statutes, by this act shall expire July 1, 2007, and the text of that section shall revert to that in existence on June 30, 2005, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 13. *Notwithstanding s. 403.7095, Florida Statutes, in order to implement Specific Appropriation 1847 of the 2006-2007 General Appropriations Act, the Department of Environmental Protection shall award:*

(1) *The sum of \$6,500,000 in grants equally to counties with populations of fewer than 100,000 for waste tire, litter prevention, recycling and education, and general solid waste programs.*

(2) *The sum of \$1,599,500 in competitive innovative grants to cities and counties on the prioritized list of projects submitted by the Department of Environmental Protection to the Legislature.*

This section expires July 1, 2007.

Section 14. *In order to implement Specific Appropriation 1847 of the 2006-2007 General Appropriations Act, and for the 2006-2007 fiscal year only, the Department of Environmental Protection shall conduct a pilot program of the efficacy of expedited site evaluation and cleanup of existing public port and airport facility sites that have high redevelopment potential and that serve an immediate and demonstrated public purpose. The department shall conduct the pilot program at sites that will serve as prototypes to evaluate the need for funding in subsequent years.*

(1) *The pilot program sites selected must include:*

(a) *A port facility at which petroleum contamination is a potential threat to marine and estuarine waters and is hindering the tourism, trade, and economic development potential for the facility and the surrounding area; and*

(b) *An airport adjacent to marine or estuarine waters where redevelopment and expansion are likely to be hindered by petroleum contamination issues.*

(2) *The pilot program should focus on:*

(a) *Rapid assessment of the scope of the contamination issues;*

(b) *The effective use of existing site information;*

(c) *For larger, multiyear projects, the development of project phases, schedules, and budget estimates, including appropriate cost sharing components with affected entities;*

(d) *Commitment of one-time funds for petroleum contamination assessment, free product removal, soil removal, and restoration that will render site conditions suitable for immediate redevelopment; and*

(e) *Preparation of an independent oversight report that evaluates the cost-effectiveness of this funding approach with emphasis on the timing of tax benefits that may accrue.*

(3) *The department is directed to implement this pilot program as soon as possible and report its progress to the Legislature by March 1, 2007.*

(4) *This section expires July 1, 2007.*

Section 15. In order to implement Specific Appropriations 1696A and 1702 and section 26 of the 2006-2007 General Appropriations Act, subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3)(a) Any moneys in the Land Acquisition Trust Fund which are not pledged for rentals or debt service as provided in subsection (2) may be expended from time to time to acquire land, water areas, and related resources and to construct, improve, enlarge, extend, operate, and maintain capital improvements and facilities in accordance with the plan.

(b) *In addition to the uses allowed in paragraph (a), for the 2006-2007 fiscal year, moneys in the Land Acquisition Trust Fund are authorized for transfer to the Florida Forever Trust Fund and the Save Our Everglades Trust Fund to support the programs authorized in chapters 259 and 373. This paragraph expires July 1, 2007.*

Section 16. In order to implement section 26 of the 2006-2007 General Appropriations Act, subsection (4) of section 259.032, Florida Statutes, is amended to read:

259.032 Conservation and Recreation Lands Trust Fund; purpose.—

(4)(a) Lands acquired under this section shall be for use as state-designated parks, recreation areas, preserves, reserves, historic or archaeological sites, geologic or botanical sites, recreational trails, forests, wilderness areas, wildlife management areas, urban open space, or other state-designated recreation or conservation lands; or they shall qualify for such state designation and use if they are to be managed by other governmental agencies or nonstate entities as provided for in this section.

(b) *In addition to the uses allowed in paragraph (a), moneys may be transferred from the Conservation and Recreation Lands Trust Fund to the Florida Forever Trust Fund. This paragraph expires July 1, 2007.*

Section 17. In order to implement section 26 of the 2006-2007 General Appropriations Act, subsection (12) is added to section 373.59, Florida Statutes, to read:

373.59 Water Management Lands Trust Fund.—

(12) *In addition to the uses allowed in this section, moneys may be transferred from the Water Management Lands Trust Fund to the Florida Forever Trust Fund. This subsection expires July 1, 2007.*

Section 18. In order to implement Specific Appropriation 1790 of the 2006-2007 General Appropriations Act, subsection (3) of section 120.551, Florida Statutes, is amended to read:

120.551 Internet publication.—

(3) This section is repealed effective July 1, 2007 ~~2006~~, unless reviewed and reenacted by the Legislature before that date.

Section 19. In order to implement Specific Appropriations 2788 and 2789 of the 2006-2007 General Appropriations Act, subsection (2) of section 11.151, Florida Statutes, is amended to read:

11.151 Annual legislative appropriation to contingency fund for use of Senate President and House Speaker.—

(2) For the 2006-2007 ~~2005-2006~~ fiscal year only, the contingency fund amounts in subsection (1) are increased to \$20,000. This subsection expires July 1, 2007 ~~2006~~.

Section 20. In order to implement Specific Appropriation 2688 of the 2006-2007 General Appropriations Act, paragraph (b) of subsection (9) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

(b) The license plate annual use fees are to be annually distributed as follows:

1. Fifty-five percent of the proceeds from the Florida Professional Sports Team plate must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used solely to attract and support major sports events in this state. As used in this subparagraph, the term “major sports events” means, but is not limited to, championship or all-star contests of Major League Baseball, the National Basketball Association, the National Football League, the National Hockey League, the men’s and women’s National Collegiate Athletic Association Final Four basketball championship, or a horseracing or dogracing Breeders’ Cup. All funds must be used to support and promote major sporting events, and the uses must be approved by the Florida Sports Foundation.

2. The remaining proceeds of the Florida Professional Sports Team license plate must be allocated to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. These funds must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used by the Florida Sports Foundation to promote the economic development of the sports industry; to distribute licensing and royalty fees to participating professional sports teams; to promote education programs in Florida schools that provide an awareness of the benefits of physical activity and nutrition standards; to partner with the Department of Education and the Department of Health to develop a program that recognizes schools whose students demonstrate excellent physical fitness or fitness improvement; to institute a grant program for communities bidding on minor sporting events that create an economic impact for the state; to distribute funds to Florida-based charities designated by the Florida Sports Foundation and the participating professional sports teams; and to fulfill the sports promotion responsibilities of the Office of Tourism, Trade, and Economic Development.

3. The Florida Sports Foundation shall provide an annual financial audit in accordance with s. 215.981 of its financial accounts and records by an independent certified public accountant pursuant to the contract established by the Office of Tourism, Trade, and Economic Development as specified in s. 288.1229(5). The auditor shall submit the audit report to the Office of Tourism, Trade, and Economic Development for review and approval. If the audit report is approved, the office shall certify the audit report to the Auditor General for review.

4. For the 2006-2007 ~~2005-2006~~ fiscal year only and notwithstanding the provisions of subparagraphs 1. and 2., proceeds from the Professional Sports Development Trust Fund may also be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games. This subparagraph expires July 1, 2007 ~~2006~~.

Section 21. In order to implement section 31 of the 2006-2007 General Appropriations Act, subsection (13) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(13) Notwithstanding the provisions of this section, funds from the sale of property by the Department of Highway Safety and Motor Vehicles located in Palm Beach County are authorized to be deposited into the Highway Safety Operating Trust Fund to facilitate the exchange as provided in the General Appropriations Act, provided that at the conclusion of both exchanges the values are equalized. This subsection expires July 1, 2007 ~~2006~~.

Section 22. In order to implement proviso language in Specific Appropriation 2304 of the 2006-2007 General Appropriations Act, subsection (4) of section 402.3017, Florida Statutes, is amended to read:

402.3017 Teacher Education and Compensation Helps (TEACH) scholarship program.—

(4) For the 2006-2007 ~~2005-2006~~ fiscal year only, the Agency for Workforce Innovation shall administer this section. This subsection expires July 1, 2007 ~~2006~~.

Section 23. In order to implement Specific Appropriation 2772 of the 2006-2007 General Appropriations Act, subsection (3) of section 320.0846, Florida Statutes, is amended to read:

320.0846 Free motor vehicle license plates to active members of the Florida National Guard.—

(3) This section expires July 1, 2007 ~~2006~~.

Section 24. In order to implement Specific Appropriations 1594, 1596, 1598, 1600, 1608, and 1609 of the 2006-2007 General Appropriations Act, subsection (5) of section 216.292, Florida Statutes, is amended to read:

216.292 Appropriations nontransferable; exceptions.—

(5)(a) A transfer of funds may not result in the initiation of a fixed capital outlay project that has not received a specific legislative appropriation, except that federal funds for fixed capital outlay projects for the Department of Military Affairs, which do not carry a continuing commitment on future appropriations by the Legislature, may be approved by the Executive Office of the Governor for the purpose received, subject to the notice, review, and objection procedures set forth in s. 216.177.

(b) *Notwithstanding paragraph (a), and for the 2006-2007 fiscal year only, the Governor may recommend the initiation of fixed capital outlay projects funded by grants awarded by the Federal Emergency Management Agency for FEMA Disaster Declarations 1539-DR-FL, 1545-DR-FL, 1551-DR-FL, 1561-DR-FL, 1595-DR-FL, 1602-DR-FL, and 1609-DR-FL. All actions taken pursuant to the authority granted in this paragraph are subject to review and approval by the Legislative Budget Commission. This paragraph expires July 1, 2007.*

Section 25. In order to implement Specific Appropriation 2132 of the 2006-2007 General Appropriations Act, subsection (3) is added to section 311.22, Florida Statutes, to read:

311.22 Additional authorization for funding certain dredging projects.—

(3) *For the 2006-2007 fiscal year only and notwithstanding the matching basis specified in subsection (1), funding for projects in subsection (1) shall require a minimum 25 percent match of funds received pursuant to this section. This subsection expires July 1, 2007.*

Section 26. In order to implement Specific Appropriation 2304 of the 2006-2007 General Appropriations Act, subsection (9) of section 411.01, Florida Statutes, is amended to read:

411.01 School readiness programs; early learning coalitions.—

(9) FUNDING; SCHOOL READINESS PROGRAM.—

(a) It is the intent of this section to establish an integrated and quality seamless service delivery system for all publicly funded early childhood education and child care programs operating in this state.

(b)1. The Agency for Workforce Innovation shall administer school readiness funds, plans, and policies and shall prepare and submit a unified budget request for the school readiness system in accordance with chapter 216.

2. All instructions to early learning coalitions for administering this section shall emanate from the Agency for Workforce Innovation in accordance with the policies of the Legislature.

(c) The Agency for Workforce Innovation shall ~~recommend~~ **adopt** a formula for the allocation among the early learning coalitions of all state and federal school readiness funds for children participating in public or private school readiness programs based upon equity and performance. The allocation formula must be submitted to the Governor and the Legislature no later than January 1 of each year. *The Legislature shall specify in the annual General Appropriations Act any changes from the allocation methodology for the prior fiscal year which must be used by the Agency for Workforce Innovation in allocating the appropriations provided in the General Appropriations Act* ~~Legislative Budget Commission. Upon approval, the Legislative Budget Commission shall authorize the Agency for Workforce Innovation to distribute funds in accordance with the allocation formula. For fiscal year 2004-2005, the Agency for Workforce Innovation shall allocate funds to the early learning coalitions~~

~~consistent with the fiscal year 2003-2004 funding allocations to the school readiness coalitions.~~

(d) All state, federal, and required local maintenance-of-effort or matching funds provided to an early learning coalition for purposes of this section shall be used by the coalition for implementation of its school readiness plan, including the hiring of staff to effectively operate the coalition's school readiness program. As part of plan approval and periodic plan review, the Agency for Workforce Innovation shall require that administrative costs be kept to the minimum necessary for efficient and effective administration of the school readiness plan, but total administrative expenditures must not exceed 5 percent unless specifically waived by the Agency for Workforce Innovation. The Agency for Workforce Innovation shall annually report to the Legislature any problems relating to administrative costs.

(e) The Agency for Workforce Innovation shall annually distribute, to a maximum extent practicable, all eligible funds provided under this section as block grants to the early learning coalitions.

(f) State funds appropriated for the school readiness program may not be used for the construction of new facilities or the purchase of buses. The Agency for Workforce Innovation shall present to the Legislature recommendations for providing necessary transportation services for school readiness programs.

(g) All cost savings and all revenues received through a mandatory sliding fee scale shall be used to help fund each early learning coalition's school readiness program.

Section 27. *The amendment of s. 411.01, Florida Statutes, by this act shall expire July 1, 2007, and the text of that section shall revert to that in existence on June 30, 2006, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 28. In order to implement the transfer of moneys to the General Revenue Fund in the 2006-2007 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys shall be responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established within a trust fund, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:

a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.

b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.

c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.

d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.

e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.

f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.

g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 29. *The amendment of section 215.32, Florida Statutes, by this act shall expire July 1, 2007, and the text of that section shall revert to that in existence on June 30, 2006, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 30. *In order to implement the issuance of new debt authorized in the 2006-2007 General Appropriations Act, and pursuant to the requirements of s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2006-2007 fiscal year is in the best interest of the state and should be implemented.*

Section 31. *A section of this act which implements a specific appropriation or specifically identified proviso language in the 2006-2007 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. A section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2006-2007 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 32. *If any other act passed in 2006 contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act shall take precedence and shall continue to operate, notwithstanding the future repeal provided by this act.*

Section 33. *The agency performance measures and standards in the document entitled "Performance Measures and Standards Approved by the Legislature for Fiscal Year 2006-2007" dated March 24, 2006, and filed with the Secretary of the Senate are incorporated by reference. Such*

performance measures and standards are directly linked to the appropriations made in the General Appropriations Act for fiscal year 2006-2007, as required by the Government Performance and Accountability Act of 1994. State agencies are directed to revise their long-range program plans required under s. 216.013, Florida Statutes, to be consistent with these performance measures and standards.

Section 34. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.*

Section 35. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2006; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act implementing the 2006-2007 General Appropriations Act; providing legislative intent; providing for use of specified calculations with respect to the Florida Education Finance Program; amending s. 215.18, F.S.; authorizing extension of repayment periods for moneys transferred between funds as a result of hurricanes striking the state in 2004; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the respective department; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; providing for expenditure of funds from unallocated general revenue to offset deficiencies in due process services; authorizing the Department of Legal Affairs to expend appropriated funds on programs funded in the preceding fiscal year; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 112.061, F.S.; providing for computation of travel time and reimbursement for public officers' and employees' travel; reenacting s. 287.17(3)(a) and (6), F.S.; authorizing the use of state aircraft for commuting; directing the Department of Environmental Protection to make specified awards of grant moneys for pollution control purposes; directing the Department of Environmental Protection to conduct a pilot program for expedited site evaluation and cleanup of port and airport facilities for redevelopment and expansion; providing guidelines for such program; amending s. 375.041, F.S.; authorizing transfer of moneys from the Land Acquisition Trust Fund to the Florida Forever Trust Fund and the Save Our Everglades Trust Fund to support specified programs; amending s. 259.032, F.S.; authorizing transfer of moneys from the Conservation and Recreation Lands Trust Fund to the Florida Forever Trust Fund; amending s. 373.59, F.S.; authorizing transfer of moneys from the Water Management Lands Trust Fund to the Florida Forever Trust Fund; amending s. 120.551, F.S.; continuing Internet publication of certain notices of the Department of Environmental Protection and the Board of Trustees of the Internal Improvement Trust Fund; amending s. 11.151, F.S.; increasing the contingency fund for the legislative presiding officers; amending s. 320.08058, F.S.; authorizing proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 253.034, F.S.; authorizing deposit of funds from the sale of property by the Department of Highway Safety and Motor Vehicles located in Palm Beach County; amending s. 402.3017, F.S.; requiring the Agency for Workforce Innovation to administer Teacher Education and Compensation Helps (TEACH) scholarship program; amending s. 320.0846, F.S.; providing for free motor vehicle license plates for active members of the Florida National Guard; amending s. 216.292, F.S.; authorizing the Governor to recommend fixed capital outlay projects funded by Federal Emergency Management Agency grants; providing for review by the Legislative Budget Commission; amending s. 311.22, F.S.; prescribing the matching fund basis for dredging projects that meet specified conditions; amending s. 411.01, F.S.; requiring the Agency for Workforce Innovation to recommend a formula to allocate funds; providing for changes in the allocation of funds to be specified in the General Appropriations Act; eliminating approval of the allocation formula by the Legislative Budget Commission; eliminating an obsolete provision; reenacting s. 215.32(2)(b), F.S., relating to the source and use of trust funds;

providing finding of best interest of the state for authorization and issuance of certain debt; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing for future repeal or expiration of various provisions; providing for reversion of certain provisions; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2006-2007 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing, conditionally, for retroactive operation; providing effective dates.

On motions by Senator Carlton, by two-thirds vote **HB 5003** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Geller	Rich
Atwater	Haridopolos	Saunders
Baker	Hill	Sebesta
Bennett	Jones	Siplin
Bullard	King	Smith
Campbell	Klein	Villalobos
Carlton	Lawson	Webster
Clary	Lynn	Wilson
Constantine	Margolis	Wise
Crist	Miller	

Nays—None

Vote after roll call:

Yea—Garcia

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 5005 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Pickens and others—

HB 5005—A bill to be entitled An act relating to education funding; amending s. 201.15, F.S.; revising the use of excise taxes on documents distributed to the Public Education Capital Outlay and Debt Service Trust Fund; amending s. 551.106, F.S.; allowing slot machine tax revenue to be made available for bond payments if necessary to comply with bond covenants; amending s. 1001.451, F.S.; authorizing regional consortium service organizations to determine the use of funds; specifying the time period for distribution of funds; amending s. 1003.03, F.S.; revising the schedule of the implementation of class size compliance at the district and school levels; amending s. 1009.535, F.S.; increasing the award for Florida Medallion Scholars enrolled in community college associate degree programs; amending s. 1011.62, F.S.; revising provisions relating to the funding computation of special programs; authorizing additional full-time equivalent membership for the Florida Virtual School; revising provisions relating to the prior year final taxable value; amending s. 1013.62, F.S.; revising charter school capital outlay funding eligibility criteria and allocation of funds; amending s. 1013.64, F.S.; revising construction cost maximums for school district capital outlay projects; revising programs the funds of which must meet the construction cost maximums; conforming provisions; creating s. 1013.734, F.S.; establishing the Class Size Reduction Construction Completion Program; providing for the allocation of funds; providing requirements for district participation in the program; providing for use of the funds; amending s. 1013.738, F.S.; conforming provisions; creating s. 1013.739, F.S.; establishing the Classroom Capacity Assistance Grant Program; providing for the allocation of funds; providing requirements for district participation in the program; providing for use of the funds; providing effective dates.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Alexander, by two-thirds vote **HB 5005** was withdrawn from the Committee on Ways and Means and taken up instantaneously without objection.

On motion by Senator Alexander, by two-thirds vote **HB 5005** was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (582172)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *The Legislature intends to revise laws relating to education funding.*

Section 2. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education funding; expressing the legislative intent to revise laws relating to education funding; providing an effective date.

On motions by Senator Alexander, by two-thirds vote **HB 5005** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 5007 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Bean—

HB 5007—A bill to be entitled An act relating to health care; amending s. 400.23, F.S.; revising minimum staffing requirements for nursing homes; amending s. 409.904, F.S.; revising requirements relating to eligibility of certain women for family planning services; amending s. 409.905, F.S.; revising requirements for the hospitalist program; removing a provision authorizing the Agency for Health Care Administration to seek certain waivers to implement the program; amending s. 409.906, F.S.; revising provisions relating to optional adult dental and visual services covered by Medicaid; amending s. 409.907, F.S.; revising the enrollment effective date for Medicaid providers; providing procedures for payment for certain claims for services; amending s. 409.9081, F.S.; revising the limitation on Medicaid recipient copayments for emergency room services; amending s. 409.911, F.S., relating to the hospital disproportionate share program; revising the method for calculating disproportionate share payments to hospitals; deleting obsolete provisions; amending s. 409.9113, F.S.; providing guidelines for distribution of disproportionate share funds to certain teaching hospitals; amending s. 409.9117, F.S., relating to the primary care disproportionate share program; revising the time period during which the agency shall not distribute certain moneys; amending s. 409.912, F.S., relating to cost-effective

purchasing of health care; deleting an obsolete provision requiring a certain percentage of capitation paid to managed care plans to be expended for behavioral health services; providing that adjustments for health status be considered in agency evaluations of the cost-effectiveness of Medicaid managed care plans; providing requirements for Medicaid capitation payments for managed long-term care programs and payments for Medicaid home and community-based services; amending s. 409.9122, F.S.; revising enrollment limits for Medicaid recipients who are subject to mandatory assignment to managed care plans and MediPass; amending s. 624.91, F.S.; requiring the Florida Healthy Kids Corporation to return certain unspent funds based on a formula developed by the corporation; amending s. 430.705, F.S., relating to implementation of the long-term care community diversion pilot projects; providing requirements for Medicaid capitation payments for managed long-term care programs and payments for Medicaid home and community-based services; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Saunders, by two-thirds vote **HB 5007** was withdrawn from the Committee on Ways and Means and taken up in-stanter without objection.

On motion by Senator Saunders, by two-thirds vote **HB 5007** was read the second time by title.

Senator Saunders moved the following amendment which was adopted:

Amendment 1 (070802)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1) and subsections (12) and (23) of section 409.906, Florida Statutes, are amended to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(1) ADULT DENTAL SERVICES.—

(b) Beginning ~~July 1, 2006~~ ~~January 1, 2005~~, the agency may pay for *full and partial* dentures, the procedures required to seat *full or partial* dentures, and the repair and relining of *full or partial* dentures, provided by or under the direction of a licensed dentist, for a recipient who is 21 years of age or older.

(12) ~~CHILDREN'S~~ HEARING SERVICES.—The agency may pay for hearing and related services, including hearing evaluations, hearing aid devices, dispensing of the hearing aid, and related repairs, if provided to a recipient ~~younger than 21 years of age~~ by a licensed hearing aid specialist, otolaryngologist, otologist, audiologist, or physician.

(23) ~~CHILDREN'S~~ VISUAL SERVICES.—The agency may pay for visual examinations, eyeglasses, and eyeglass repairs for a recipient ~~younger than 21 years of age~~, if they are prescribed by a licensed physician specializing in diseases of the eye or by a licensed optometrist.

Section 2. Paragraphs (f) and (k) of subsection (2) of section 409.9122, Florida Statutes, are amended to read:

409.9122 Mandatory Medicaid managed care enrollment; programs and procedures.—

(2)

(f) When a Medicaid recipient does not choose a managed care plan or MediPass provider, the agency shall assign the Medicaid recipient to a managed care plan or MediPass provider. Medicaid recipients who are subject to mandatory assignment but who fail to make a choice shall be assigned to managed care plans until an enrollment of 35 40 percent in MediPass and 65 60 percent in managed care plans is achieved. Once this enrollment is achieved, the assignments shall be divided in order to maintain an enrollment in MediPass and managed care plans which is in a 35 40 percent and 65 60 percent proportion, respectively. Thereafter, assignment of Medicaid recipients who fail to make a choice shall be based proportionally on the preferences of recipients who have made a choice in the previous period. Such proportions shall be revised at least quarterly to reflect an update of the preferences of Medicaid recipients. The agency shall disproportionately assign Medicaid-eligible recipients who are required to but have failed to make a choice of managed care plan or MediPass, including children, and who are to be assigned to the MediPass program to children's networks as described in s. 409.912(4)(g), Children's Medical Services Network as defined in s. 391.021, exclusive provider organizations, provider service networks, minority physician networks, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act, in such manner as the agency deems appropriate, until the agency has determined that the networks and programs have sufficient numbers to be economically operated. For purposes of this paragraph, when referring to assignment, the term "managed care plans" includes health maintenance organizations, exclusive provider organizations, provider service networks, minority physician networks, Children's Medical Services Network, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act. When making assignments, the agency shall take into account the following criteria:

1. A managed care plan has sufficient network capacity to meet the need of members.
2. The managed care plan or MediPass has previously enrolled the recipient as a member, or one of the managed care plan's primary care providers or MediPass providers has previously provided health care to the recipient.
3. The agency has knowledge that the member has previously expressed a preference for a particular managed care plan or MediPass provider as indicated by Medicaid fee-for-service claims data, but has failed to make a choice.
4. The managed care plan's or MediPass primary care providers are geographically accessible to the recipient's residence.

(k) When a Medicaid recipient does not choose a managed care plan or MediPass provider, the agency shall assign the Medicaid recipient to a managed care plan, except in those counties in which there are fewer than two managed care plans accepting Medicaid enrollees, in which case assignment shall be to a managed care plan or a MediPass provider. Medicaid recipients in counties with fewer than two managed care plans accepting Medicaid enrollees who are subject to mandatory assignment but who fail to make a choice shall be assigned to managed care plans until an enrollment of 35 40 percent in MediPass and 65 60 percent in managed care plans is achieved. Once that enrollment is achieved, the assignments shall be divided in order to maintain an enrollment in MediPass and managed care plans which is in a 35 40 percent and 65 60 percent proportion, respectively. In service areas 1 and 6 of the Agency for Health Care Administration where the agency is contracting for the provision of comprehensive behavioral health services through a capitated prepaid arrangement, recipients who fail to make a choice shall be assigned equally to MediPass or a managed care plan. For purposes of this paragraph, when referring to assignment, the term "managed care plans" includes exclusive provider organizations, provider service networks, Children's Medical Services Network, minority physician networks, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act. When making assignments, the agency shall take into account the following criteria:

1. A managed care plan has sufficient network capacity to meet the need of members.

2. The managed care plan or MediPass has previously enrolled the recipient as a member, or one of the managed care plan's primary care providers or MediPass providers has previously provided health care to the recipient.

3. The agency has knowledge that the member has previously expressed a preference for a particular managed care plan or MediPass provider as indicated by Medicaid fee-for-service claims data, but has failed to make a choice.

4. The managed care plan's or MediPass primary care providers are geographically accessible to the recipient's residence.

5. The agency has authority to make mandatory assignments based on quality of service and performance of managed care plans.

Section 3. Paragraph (a) of subsection (2), subsection (3), and paragraphs (b) and (c) of subsection (4) of section 409.911, Florida Statutes, as amended by section 1 of chapter 2005-358, Laws of Florida, are amended to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:

(a) The average of the 2000, 2001 ~~1998, 1999,~~ and 2002 ~~2000~~ audited disproportionate share data to determine each hospital's Medicaid days and charity care for the 2006-2007 ~~2004-2005~~ state fiscal year ~~and the average of the 1999, 2000, and 2001 audited disproportionate share data to determine the Medicaid days and charity care for the 2005-2006 state fiscal year.~~

(3) Hospitals that qualify for a disproportionate share payment solely under paragraph (2)(c) shall have their payment calculated in accordance with the following formulas:

$$\text{DSHP} = (\text{HMD}/\text{TMSD}) \times \$1 \text{ million}$$

Where:

DSHP = disproportionate share hospital payment.

HMD = hospital Medicaid days.

TSD = total state Medicaid days.

Any funds not allocated to hospitals qualifying under this section shall be redistributed to the non-state government owned or operated hospitals with greater than 3,100 ~~3,300~~ Medicaid days.

(4) The following formulas shall be used to pay disproportionate share dollars to public hospitals:

(b) For non-state government owned or operated hospitals with 3,100 ~~3,300~~ or more Medicaid days:

$$\begin{aligned} \text{DSHP} &= [(.82 \times \text{HCCD}/\text{TCCD}) + (.18 \times \text{HMD}/\text{TMD})] \\ &\quad \times \text{TAAPH} \\ \text{TAAPH} &= \text{TAA} - \text{TAAMH} \end{aligned}$$

Where:

TAA = total available appropriation.

TAAPH = total amount available for public hospitals.

DSHP = disproportionate share hospital payments.

HMD = hospital Medicaid days.

TMD = total state Medicaid days for public hospitals.

HCCD = hospital charity care dollars.

TCCD = total state charity care dollars for public non-state hospitals.

~~1. For the 2005-2006 state fiscal year only, the DSHP for the public nonstate hospitals shall be computed using a weighted average of the disproportionate share payments for the 2004-2005 state fiscal year which uses an average of the 1998, 1999, and 2000 audited disproportionate share data and the disproportionate share payments for the 2005-2006 state fiscal year as computed using the formula above and using the average of the 1999, 2000, and 2001 audited disproportionate share data. The final DSHP for the public nonstate hospitals shall be computed as an average using the calculated payments for the 2005-2006 state fiscal year weighted at 65 percent and the disproportionate share payments for the 2004-2005 state fiscal year weighted at 35 percent.~~

2. The TAAPH shall be reduced by \$6,365,257 before computing the DSHP for each public hospital. The \$6,365,257 shall be distributed equally between the public hospitals that are also designated statutory teaching hospitals.

(c) For non-state government owned or operated hospitals with less than 3,100 ~~3,300~~ Medicaid days, a total of \$750,000 shall be distributed equally among these hospitals.

Section 4. Section 409.9113, Florida Statutes, is amended to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under ss. 409.911 and 409.9112, the Agency for Health Care Administration shall make disproportionate share payments to statutorily defined teaching hospitals for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments shall conform with federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. For the 2006-2007 state fiscal year ~~2005-2006~~, the agency shall ~~not~~ distribute moneys *provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals* under the teaching hospital disproportionate share program. *The funds provided for statutorily defined teaching hospitals shall be distributed in the same proportion as funds were distributed under the teaching hospital disproportionate share program during the 2003-2004 fiscal year. The funds provided for family practice teaching hospitals shall be distributed equally among the family practice teaching hospitals.*

(1) On or before September 15 of each year, the Agency for Health Care Administration shall calculate an allocation fraction to be used for distributing funds to state statutory teaching hospitals. Subsequent to the end of each quarter of the state fiscal year, the agency shall distribute to each statutory teaching hospital, as defined in s. 408.07, an amount determined by multiplying one-fourth of the funds appropriated for this purpose by the Legislature times such hospital's allocation fraction. The allocation fraction for each such hospital shall be determined by the sum of three primary factors, divided by three. The primary factors are:

(a) The number of nationally accredited graduate medical education programs offered by the hospital, including programs accredited by the Accreditation Council for Graduate Medical Education and the combined Internal Medicine and Pediatrics programs acceptable to both the American Board of Internal Medicine and the American Board of Pediatrics at the beginning of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of programs, where the total is computed for all state statutory teaching hospitals.

(b) The number of full-time equivalent trainees in the hospital, which comprises two components:

1. The number of trainees enrolled in nationally accredited graduate medical education programs, as defined in paragraph (a). Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital

represents of the total number of full-time equivalent trainees enrolled in accredited graduate programs, where the total is computed for all state statutory teaching hospitals.

2. The number of medical students enrolled in accredited colleges of medicine and engaged in clinical activities, including required clinical clerkships and clinical electives. Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the course of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total number of full-time equivalent students enrolled in accredited colleges of medicine, where the total is computed for all state statutory teaching hospitals.

The primary factor for full-time equivalent trainees is computed as the sum of these two components, divided by two.

(c) A service index that comprises three components:

1. The Agency for Health Care Administration Service Index, computed by applying the standard Service Inventory Scores established by the Agency for Health Care Administration to services offered by the given hospital, as reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total Agency for Health Care Administration Service Index values, where the total is computed for all state statutory teaching hospitals.

2. A volume-weighted service index, computed by applying the standard Service Inventory Scores established by the Agency for Health Care Administration to the volume of each service, expressed in terms of the standard units of measure reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation factor is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total volume-weighted service index values, where the total is computed for all state statutory teaching hospitals.

3. Total Medicaid payments to each hospital for direct inpatient and outpatient services during the fiscal year preceding the date on which the allocation factor is calculated. This includes payments made to each hospital for such services by Medicaid prepaid health plans, whether the plan was administered by the hospital or not. The numerical value of this factor is the fraction that each hospital represents of the total of such Medicaid payments, where the total is computed for all state statutory teaching hospitals.

The primary factor for the service index is computed as the sum of these three components, divided by three.

(2) By October 1 of each year, the agency shall use the following formula to calculate the maximum additional disproportionate share payment for statutorily defined teaching hospitals:

$$TAP = THAF \times A$$

Where:

TAP = total additional payment.

THAF = teaching hospital allocation factor.

A = amount appropriated for a teaching hospital disproportionate share program.

Section 5. Paragraph (b) of subsection (5) of section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

2. Arrange for the collection of any voluntary contributions to provide for payment of premiums for children who are not eligible for medical assistance under Title XXI of the Social Security Act. ~~Each fiscal year, the corporation shall establish a local match policy for the enrollment of non-Title XXI eligible children in the Healthy Kids program. By May 1 of each year, the corporation shall provide written notification of the amount to be remitted to the corporation for the following fiscal year under that policy. Local match sources may include, but are not limited to, funds provided by municipalities, counties, school boards, hospitals, health care providers, charitable organizations, special taxing districts, and private organizations. The minimum local match cash contributions required each fiscal year and local match credits shall be determined by the General Appropriations Act. The corporation shall calculate a county's local match rate based upon that county's percentage of the state's total non-Title XXI expenditures as reported in the corporation's most recently audited financial statement. In awarding the local match credits, the corporation may consider factors including, but not limited to, population density, per capita income, and existing child health-related expenditures and services.~~

3. Subject to the provisions of s. 409.8134, accept voluntary supplemental local match contributions that comply with the requirements of Title XXI of the Social Security Act for the purpose of providing additional coverage in contributing counties under Title XXI.

4. Establish the administrative and accounting procedures for the operation of the corporation.

5. Establish, with consultation from appropriate professional organizations, standards for preventive health services and providers and comprehensive insurance benefits appropriate to children, provided that such standards for rural areas shall not limit primary care providers to board-certified pediatricians.

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida KidCare program consistent with the requirements specified in s. 409.814, as well as the non-Title XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the board of directors of the corporation.

8. Establish participation criteria and, if appropriate, contract with an authorized insurer, health maintenance organization, or third-party administrator to provide administrative services to the corporation.

9. Establish enrollment criteria which shall include penalties or waiting periods of not fewer than 60 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family premiums.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

11. Establish disenrollment criteria in the event local matching funds are insufficient to cover enrollments.

12. Develop and implement a plan to publicize the Florida Healthy Kids Corporation, the eligibility requirements of the program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the program.

13. Secure staff necessary to properly administer the corporation. Staff costs shall be funded from state and local matching funds and such other private or public funds as become available. The board of directors shall determine the number of staff members necessary to administer the corporation.

14. Provide a report annually to the Governor, Chief Financial Officer, Commissioner of Education, Senate President, Speaker of the House of Representatives, and Minority Leaders of the Senate and the House of Representatives.

15. Establish benefit packages which conform to the provisions of the Florida KidCare program, as created in ss. 409.810-409.820.

Section 6. *The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall review the functions currently performed by the Comprehensive Assessment and Review for Long-Term Care Services (CARES) Program within the Department of Elderly Affairs. OPPAGA shall identify the factors affecting the time currently required for CARES staff to assess an individual's eligibility for long-term care services. As part of this study, OPPAGA shall also examine circumstances that could delay an individual's placement into the Long-Term Care Community Diversion pilot project. OPPAGA shall report its findings to the President of the Senate and the Speaker of the House of Representatives by February 1, 2007.*

Section 7. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to medical services; amending s. 409.906, F.S.; authorizing the Agency for Health Care Administration to pay for full or partial dentures for certain recipients and for procedures relating to the seating and repair of dentures; authorizing the provision of hearing and visual services to Medicaid recipients; amending s. 409.9122, F.S., relating to mandatory Medicaid managed care enrollment; revising the percentages for the agency to achieve in enrolling certain Medicaid recipients in managed care plans or in MediPass; amending s. 409.911, F.S.; revising the audited data used by the agency to determine the amount distributed to hospitals under the disproportionate share program; revising the number of Medicaid days used in the calculation; deleting obsolete provisions; amending s. 409.9113, F.S.; providing for the distribution of funds to statutorily defined teaching hospitals and family practice teaching hospitals; amending s. 624.91, F.S.; deleting provisions requiring that the Florida Healthy Kids Corporation establish a local match policy each fiscal year for enrolling certain children in the Healthy Kids program; requiring the Office of Program Policy Analysis and Government Accountability to review the Comprehensive Assessment and Review for Long-Term Care Services (CARES) Program within the Department of Elderly Affairs and report to the President of the Senate and the Speaker of the House of Representatives by a specified date; providing an effective date.

On motions by Senator Saunders, by two-thirds vote **HB 5007** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed HB 5009 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Bean—

HB 5009—A bill to be entitled An act relating to substance abuse and mental health services funding; amending s. 394.457, F.S.; deleting provisions authorizing a reimbursement rate of 100 percent by the Department of Children and Family Services for certain services provided under the Baker Act; amending s. 394.908, F.S.; revising the funding allocation methodology; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Saunders, by two-thirds vote **HB 5009** was withdrawn from the Committee on Ways and Means and taken up instantly without objection.

On motion by Senator Saunders, by two-thirds vote **HB 5009** was read the second time by title.

Senator Saunders moved the following amendment which was adopted:

Amendment 1 (251560)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 394.457, Florida Statutes, is amended to read:

394.457 Operation and administration.—

(3) **POWER TO CONTRACT.**—The department may contract to provide, and be provided with, services and facilities in order to carry out its responsibilities under this part with the following agencies: public and private hospitals; receiving and treatment facilities; clinics; laboratories; departments, divisions, and other units of state government; the state colleges and universities; the community colleges; private colleges and universities; counties, municipalities, and any other governmental unit, including facilities of the United States Government; and any other public or private entity which provides or needs facilities or services. Baker Act funds for community inpatient, crisis stabilization, short-term residential treatment, and screening services must be allocated to each county pursuant to the department's funding allocation methodology. Notwithstanding the provisions of s. 287.057(5)(f), contracts for community-based Baker Act services for inpatient, crisis stabilization, short-term residential treatment, and screening provided under this part, other than those with other units of government, to be provided for the department must be awarded using competitive sealed bids when the county commission of the county receiving the services makes a request to the department's district office by January 15 of the contracting year. The district shall not enter into a competitively bid contract under this provision if such action will result in increases of state or local expenditures for Baker Act services within the district. Contracts for these Baker Act services using competitive sealed bids will be effective for 3 years. ~~Services contracted for by the department may be reimbursed by the state at a rate up to 100 percent.~~ The department shall adopt rules establishing minimum standards for such contracted services and facilities and shall make periodic audits and inspections to assure that the contracted services are provided and meet the standards of the department.

Section 2. Section 394.908, Florida Statutes, is amended to read:

394.908 Substance abuse and mental health funding equity; distribution of appropriations.—In recognition of the historical inequity ~~among service districts of the former Department of Health and Rehabilitative Services~~ in the funding of substance abuse and mental health services ~~for the districts and region~~, and in order to rectify this inequity and provide for equitable funding in the future throughout the state, the following funding process shall be used ~~adhered to~~:

(1) Funding thresholds for substance abuse and mental health services in each of the current districts, statewide, shall be established

based on the current number of persons in need per district of substance abuse and mental health services, respectively.

(2) "Persons in need" means those persons who fit the profile of the respective target populations and require mental health or substance abuse services.

(3) ~~Seventy-five percent of~~ Any additional funding beyond the 2005-2006 ~~1996-1997~~ fiscal year base appropriation for alcohol, drug abuse, and mental health services shall be allocated to districts for substance abuse and mental health services based on:

(a) Epidemiological estimates of disabilities ~~that which~~ apply to the respective target populations.

(b) A pro rata share distribution that ensures districts below the statewide average funding level per person in each target population of "persons in need" receive funding necessary to achieve equity.

~~(4) The remaining 25 percent shall be allocated based on the number of persons in need of substance abuse and mental health services per district without regard to current funding levels.~~

~~(4)(5)~~ Target populations for persons in need shall be displayed for each district and distributed concurrently with the approved operating budget. The display by target population shall show: The annual number of persons served based on prior year actual numbers, the annual cost per person served, ~~the number of persons served by service cost center,~~ and the estimated number of the total target population for persons in need.

~~(5)(6)~~ The annual cost per person served shall be defined as the total actual funding for each target population divided by the number of persons served in the target population for that year.

~~(7) Commencing on July 1, 1998, all additional funding pursuant to this section shall be performance-based.~~

~~(8) For fiscal year 2004-2005 only, and notwithstanding the provisions of this section, all new funds received in excess of fiscal year 2003-2004 recurring appropriations shall be allocated in accordance with the provisions of the General Appropriations Act; however, no district shall receive an allocation of recurring funds less than its initial approved operating budget, plus any distributions of lump sum appropriations or reductions in unfunded budget, for fiscal year 2003-2004. This subsection expires July 1, 2005.~~

Section 3. Subsection (10) of section 402.33, Florida Statutes, is repealed.

Section 4. Subsection (7) of section 409.1671, Florida Statutes, is amended to read:

409.1671 Foster care and related services; outsourcing.—

(7) The Florida Coalition for Children, Inc., in consultation with The department, shall develop a plan, ~~in consultation with the Florida Coalition for Children, Inc., based on an independent actuarial study~~ regarding the long-term use and structure of a statewide community-based care risk pool for the protection of eligible lead community-based providers, their subcontractors, and providers of other social services who contract directly with the department. ~~The plan must also outline strategies to maximize federal earnings as they relate to the community-based care risk pool. At a minimum, the plan must allow for the use of federal earnings received from child welfare programs to be allocated to the community-based care risk pool by the department, which earnings are determined by the department to be in excess of the amount appropriated in the General Appropriations Act. The plan must specify the necessary steps to ensure the financial integrity and industry-standard risk management practices of the community-based care risk pool and the continued availability of funding from federal, state, and local sources. The plan must also include recommendations that permit the program to be available to entities of the department providing child welfare services until full conversion to community-based care takes place. The final plan shall be submitted to the department and then to the Executive Office of the Governor and the Legislative Budget Commission for formal adoption before January 1, 2005. Upon approval of the plan, the department may expend funds from the risk pool pursuant to the provisions of the plan. by all parties, the department shall issue an interest-free loan that is secured by the cumulative contractual revenue of the~~

~~community-based care risk pool membership, and the amount of the loan shall equal the amount appropriated by the Legislature for this purpose. The plan shall provide for a governance structure that assures the department the ability to oversee the operation of the community-based care risk pool at least until this loan is repaid in full.~~

(a) The purposes for which the community-based care risk pool shall be used include, but are not limited to:

1. Significant changes in the number or composition of clients eligible to receive services.
2. Significant changes in the services that are eligible for reimbursement.
3. Scheduled or unanticipated, but necessary, advances to providers or other cash-flow issues.
4. Proposals to participate in optional Medicaid services or other federal grant opportunities.
5. Appropriate incentive structures.
6. Continuity of care in the event of failure, discontinuance of service, or financial misconduct by a lead agency.
7. Payment for time-limited technical assistance and consultation to lead agencies in the event of serious performance or management problems.
8. Payment for meeting all traditional and nontraditional insurance needs of eligible members.
9. Significant changes in the mix of available funds.

(b) After approval of the plan in the 2004-2005 fiscal year and annually thereafter, the department may also request in its annual legislative budget request, and the Governor may recommend, that the funding necessary to carry out paragraph (a) be appropriated to the department. ~~Subsequent funding of the community-based care risk pool shall be supported by premiums assessed to members of the community-based care risk pool on a recurring basis. The community-based care risk pool may invest and retain interest earned on these funds. In addition, the department may transfer funds to the community-based care risk pool as available in order to ensure an adequate funding level if the fund is declared to be insolvent and approval is granted by the Legislative Budget Commission. Such payments for insolvency shall be made only after a determination is made by the department or its actuary that all participants in the community-based care risk pool are current in their payments of premiums and that assessments have been made at an actuarially sound level. Such payments by participants in the community-based care risk pool may not exceed reasonable industry standards, as determined by the actuary. Money from this fund may be used to match available federal dollars. Dividends or other payments, with the exception of legitimate claims, may not be paid to members of the community-based care risk pool until the loan issued by the department is repaid in full. Dividends or other payments, with the exception of legitimate claims and other purposes contained in the approved plan, may not be paid to members of the community-based care risk pool unless, at the time of distribution, the community-based care risk pool is deemed actuarially sound and solvent. Solvency shall be determined by an independent actuary contracted by the department. The plan shall be developed in consultation with the Office of Insurance Regulation.~~

1. Such funds shall constitute partial security for contract performance by lead agencies and shall be used to offset the need for a performance bond. Subject to the approval of the plan, the community-based care risk pool shall be managed by the Florida Coalition for Children, Inc., or the designated contractors of the Florida Coalition for Children, Inc. Nonmembers of the community-based care risk pool may continue to contract with the department but must provide a letter of credit equal to one-twelfth of the annual contract amount in lieu of membership in the community-based care risk pool.

2. The department may separately require a bond to mitigate the financial consequences of potential acts of malfeasance, misfeasance, or criminal violations by the provider.

(c) The department may issue an interest-free loan to the Florida Coalition for Children, Inc., for the purpose of creating a self-insurance

program. Such loan shall be secured by the cumulative contractual revenue of the community-based care lead agencies participating in the self-insurance program. The amount of the loan shall be in an amount equal to the amount appropriated by the Legislature for this purpose.

Section 5. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to funding for social services; amending s. 394.457, F.S.; deleting provisions authorizing a reimbursement rate of 100 percent by the Department of Children and Family Services for certain services provided under the Baker Act; amending s. 394.908, F.S.; revising the methodology for distributing funds for certain substance abuse and mental health services; repealing s. 402.33(10), F.S., relating to provisions authorizing the use of certain excess funds for nonrecurring expenditures incurred in providing direct client services and for certain administrative costs; amending s. 409.1671, F.S.; revising provisions requiring that a statewide risk pool be established for community-based providers, their subcontractors, and providers of other social services who contract with the Department of Children and Family Services; requiring that the department develop a plan, in consultation with the Florida Coalition for Children, Inc., regarding the long-term use and structure of the risk pool; deleting certain restrictions governing payments for insolvency; authorizing the department to issue an interest-free loan to the Florida Coalition for Children, Inc.; providing an effective date.

On motions by Senator Saunders, by two-thirds vote **HB 5009** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Miller	

Nays—None

Vote after roll call:

Yea—Margolis

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 5011 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Bean—

HB 5011—A bill to be entitled An act relating to foster care and related services; amending s. 409.1671, F.S.; requiring the Department of Children and Family Services to develop a statewide plan for outsourcing foster care and related services; removing certain plan requirements; removing an obsolete date; authorizing the expenditure of certain funds; removing a requirement to issue certain loans; removing certain provisions relative to the sources of future funding; making conforming changes; removing authority of the Florida Coalition for Children, Inc., or its subcontractors to manage certain risk pool funds; authorizing the department to issue an interest-free loan to the Florida Coalition for Children, Inc., to establish a self-insurance program based on certain appropriations; establishing a 3-year pilot program in Miami-Dade,

Monroe, and Broward Counties; providing for the transfer of certain responsibilities from the Department of Children and Family Services to specified community-based care lead agencies; providing for funding the pilot program from grants and federal funds; requiring that the department enter into fixed-payment contracts; requiring that annual financial statements regarding the pilot program be provided to the Governor, the department, and the Legislature; requiring that an independent arbitrator resolve certain disputes related to contracts; requiring that contract management and oversight be conducted by third-party entities; providing an exemption from s. 287.057, F.S.; requiring such entities to submit reports to the Governor and the Legislature; requiring that the department, the lead agencies implementing the pilot program, and the Agency for Health Care Administration develop a plan for integrating certain Medicaid mental health services; specifying that the annual evaluation required in s. 409.1671, F.S., include an evaluation of the pilot program; directing the Office of Program Policy Analysis and Government Accountability and the Office of the Auditor General to complete an evaluation of the pilot program and to report to the Legislature; providing effective dates.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Saunders, by two-thirds vote **HB 5011** was withdrawn from the Committee on Ways and Means and taken up instantly without objection.

On motion by Senator Saunders, by two-thirds vote **HB 5011** was read the second time by title.

Senator Saunders moved the following amendment which was adopted:

Amendment 1 (843390)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 394.457, Florida Statutes, is amended to read:

394.457 Operation and administration.—

(3) **POWER TO CONTRACT.**—The department may contract to provide, and be provided with, services and facilities in order to carry out its responsibilities under this part with the following agencies: public and private hospitals; receiving and treatment facilities; clinics; laboratories; departments, divisions, and other units of state government; the state colleges and universities; the community colleges; private colleges and universities; counties, municipalities, and any other governmental unit, including facilities of the United States Government; and any other public or private entity which provides or needs facilities or services. Baker Act funds for community inpatient, crisis stabilization, short-term residential treatment, and screening services must be allocated to each county pursuant to the department's funding allocation methodology. Notwithstanding the provisions of s. 287.057(5)(f), contracts for community-based Baker Act services for inpatient, crisis stabilization, short-term residential treatment, and screening provided under this part, other than those with other units of government, to be provided for the department must be awarded using competitive sealed bids when the county commission of the county receiving the services makes a request to the department's district office by January 15 of the contracting year. The district shall not enter into a competitively bid contract under this provision if such action will result in increases of state or local expenditures for Baker Act services within the district. Contracts for these Baker Act services using competitive sealed bids will be effective for 3 years. ~~Services contracted for by the department may be reimbursed by the state at a rate up to 100 percent.~~ The department shall adopt rules establishing minimum standards for such contracted services and facilities and shall make periodic audits and inspections to assure that the contracted services are provided and meet the standards of the department.

Section 2. Section 394.908, Florida Statutes, is amended to read:

394.908 Substance abuse and mental health funding equity; distribution of appropriations.—In recognition of the historical inequity ~~among service districts of the former Department of Health and Rehabilitative Services~~ in the funding of substance abuse and mental health services ~~for the districts and region~~, and in order to rectify this inequity

and provide for equitable funding in the future throughout the state, the following funding process shall be used ~~adhered to~~:

(1) Funding thresholds for substance abuse and mental health services in each of the current districts, statewide, shall be established based on the current number of persons in need per district of substance abuse and mental health services, respectively.

(2) "Persons in need" means those persons who fit the profile of the respective target populations and require mental health or substance abuse services.

(3) ~~Seventy-five percent of~~ Any additional funding beyond the 2005-2006 1996-1997 fiscal year base appropriation for alcohol, drug abuse, and mental health services shall be allocated to districts for substance abuse and mental health services based on:

(a) Epidemiological estimates of disabilities ~~that which~~ apply to the respective target populations.

(b) A pro rata share distribution that ensures districts below the statewide average funding level per person in each target population of "persons in need" receive funding necessary to achieve equity.

(4) ~~The remaining 25 percent shall be allocated based on the number of persons in need of substance abuse and mental health services per district without regard to current funding levels.~~

(4)(5) Target populations for persons in need shall be displayed for each district and distributed concurrently with the approved operating budget. The display by target population shall show: The annual number of persons served based on prior year actual numbers, the annual cost per person served, ~~the number of persons served by service cost center,~~ and the estimated number of the total target population for persons in need.

(5)(6) The annual cost per person served shall be defined as the total actual funding for each target population divided by the number of persons served in the target population for that year.

(7) ~~Commencing on July 1, 1998, all additional funding pursuant to this section shall be performance-based.~~

(8) ~~For fiscal year 2004-2005 only, and notwithstanding the provisions of this section, all new funds received in excess of fiscal year 2003-2004 recurring appropriations shall be allocated in accordance with the provisions of the General Appropriations Act; however, no district shall receive an allocation of recurring funds less than its initial approved operating budget, plus any distributions of lump sum appropriations or reductions in unfunded budget, for fiscal year 2003-2004. This subsection expires July 1, 2005.~~

Section 3. Subsection (10) of section 402.33, Florida Statutes, is repealed.

Section 4. Subsection (7) of section 409.1671, Florida Statutes, is amended to read:

409.1671 Foster care and related services; outsourcing.—

(7) The Florida Coalition for Children, Inc., in consultation with The department, shall develop a plan, *in consultation with the Florida Coalition for Children, Inc., based on an independent actuarial study* regarding the long-term use and structure of a statewide community-based care risk pool for the protection of eligible lead community-based providers, their subcontractors, and providers of other social services who contract directly with the department. The plan must also outline strategies to maximize federal earnings as they relate to the community-based care risk pool. At a minimum, the plan must allow for the use of federal earnings received from child welfare programs to be allocated to the community-based care risk pool by the department, which earnings are determined by the department to be in excess of the amount appropriated in the General Appropriations Act. The plan must specify the necessary steps to ensure the financial integrity and industry standard risk management practices of the community-based care risk pool and the continued availability of funding from federal, state, and local sources. The plan must also include recommendations that permit the program to be available to entities of the department providing child welfare services until full conversion to community-based care takes place. The

final plan shall be submitted to ~~the department and then to the Executive Office of the Governor and the Legislative Budget Commission for formal adoption before January 1, 2005.~~ Upon approval of the plan, *the department may expend funds from the risk pool pursuant to the provisions of the plan. by all parties, the department shall issue an interest-free loan that is secured by the cumulative contractual revenue of the community-based care risk pool membership, and the amount of the loan shall equal the amount appropriated by the Legislature for this purpose. The plan shall provide for a governance structure that assures the department the ability to oversee the operation of the community-based care risk pool at least until this loan is repaid in full.*

(a) The purposes for which the community-based care risk pool shall be used include, but are not limited to:

1. Significant changes in the number or composition of clients eligible to receive services.
2. Significant changes in the services that are eligible for reimbursement.
3. Scheduled or unanticipated, but necessary, advances to providers or other cash-flow issues.
4. Proposals to participate in optional Medicaid services or other federal grant opportunities.
5. Appropriate incentive structures.
6. Continuity of care in the event of failure, discontinuance of service, or financial misconduct by a lead agency.
7. Payment for time-limited technical assistance and consultation to lead agencies in the event of serious performance or management problems.
8. Payment for meeting all traditional and nontraditional insurance needs of eligible members.
9. Significant changes in the mix of available funds.

(b) After approval of the plan in the 2004-2005 fiscal year and annually thereafter, the department may also request in its annual legislative budget request, and the Governor may recommend, that the funding necessary to carry out paragraph (a) be appropriated to the department. Subsequent funding of the community-based care risk pool shall be supported by premiums assessed to members of the community-based care risk pool on a recurring basis. The community-based care risk pool may invest and retain interest earned on these funds. In addition, the department may transfer funds to the community-based care risk pool as available in order to ensure an adequate funding level if the fund is declared to be insolvent and approval is granted by the Legislative Budget Commission. ~~Such payments for insolvency shall be made only after a determination is made by the department or its actuary that all participants in the community-based care risk pool are current in their payments of premiums and that assessments have been made at an actuarially sound level. Such payments by participants in the community-based care risk pool may not exceed reasonable industry standards, as determined by the actuary. Money from this fund may be used to match available federal dollars. Dividends or other payments, with the exception of legitimate claims, may not be paid to members of the community-based care risk pool until the loan issued by the department is repaid in full. Dividends or other payments, with the exception of legitimate claims and other purposes contained in the approved plan, may not be paid to members of the community-based care risk pool unless, at the time of distribution, the community-based care risk pool is deemed actuarially sound and solvent. Solvency shall be determined by an independent actuary contracted by the department. The plan shall be developed in consultation with the Office of Insurance Regulation.~~

1. Such funds shall constitute partial security for contract performance by lead agencies and shall be used to offset the need for a performance bond. Subject to the approval of the plan, the community-based care risk pool shall be managed by the Florida Coalition for Children, Inc., or the designated contractors of the Florida Coalition for Children, Inc. Nonmembers of the community-based care risk pool may continue to contract with the department but must provide a letter of credit equal to one-twelfth of the annual contract amount in lieu of membership in the community-based care risk pool.

2. The department may separately require a bond to mitigate the financial consequences of potential acts of malfeasance, misfeasance, or criminal violations by the provider.

(c) *The department may issue an interest-free loan to the Florida Coalition for Children, Inc., for the purpose of creating a self-insurance program. Such loan shall be secured by the cumulative contractual revenue of the community-based care lead agencies participating in the self-insurance program. The amount of the loan shall be in an amount equal to the amount appropriated by the Legislature for this purpose.*

Section 5. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to funding for social services; amending s. 394.457, F.S.; deleting provisions authorizing a reimbursement rate of 100 percent by the Department of Children and Family Services for certain services provided under the Baker Act; amending s. 394.908, F.S.; revising the methodology for distributing funds for certain substance abuse and mental health services; repealing s. 402.33(10), F.S., relating to provisions authorizing the use of certain excess funds for nonrecurring expenditures incurred in providing direct client services and for certain administrative costs; amending s. 409.1671, F.S.; revising provisions requiring that a statewide risk pool be established for community-based providers, their subcontractors, and providers of other social services who contract with the Department of Children and Family Services; requiring that the department develop a plan, in consultation with the Florida Coalition for Children, Inc., regarding the long-term use and structure of the risk pool; deleting certain restrictions governing payments for insolvency; authorizing the department to issue an interest-free loan to the Florida Coalition for Children, Inc.; providing an effective date.

On motions by Senator Saunders, by two-thirds vote **HB 5011** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peadar
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed HB 5013 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Bean—

HB 5013—A bill to be entitled An act relating to client services fee collections; amending s. 402.33, F.S.; eliminating certain authority of the Department of Children and Family Services and the Department of Health to use fee collections in excess of fee-supported appropriations for certain purposes; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Saunders, by two-thirds vote **HB 5013** was withdrawn from the Committee on Ways and Means and taken up instantaneously without objection.

On motion by Senator Saunders, by two-thirds vote **HB 5013** was read the second time by title.

Senator Saunders moved the following amendment which was adopted:

Amendment 1 (113414)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 394.457, Florida Statutes, is amended to read:

394.457 Operation and administration.—

(3) **POWER TO CONTRACT.**—The department may contract to provide, and be provided with, services and facilities in order to carry out its responsibilities under this part with the following agencies: public and private hospitals; receiving and treatment facilities; clinics; laboratories; departments, divisions, and other units of state government; the state colleges and universities; the community colleges; private colleges and universities; counties, municipalities, and any other governmental unit, including facilities of the United States Government; and any other public or private entity which provides or needs facilities or services. Baker Act funds for community inpatient, crisis stabilization, short-term residential treatment, and screening services must be allocated to each county pursuant to the department's funding allocation methodology. Notwithstanding the provisions of s. 287.057(5)(f), contracts for community-based Baker Act services for inpatient, crisis stabilization, short-term residential treatment, and screening provided under this part, other than those with other units of government, to be provided for the department must be awarded using competitive sealed bids when the county commission of the county receiving the services makes a request to the department's district office by January 15 of the contracting year. The district shall not enter into a competitively bid contract under this provision if such action will result in increases of state or local expenditures for Baker Act services within the district. Contracts for these Baker Act services using competitive sealed bids will be effective for 3 years. ~~Services contracted for by the department may be reimbursed by the state at a rate up to 100 percent.~~ The department shall adopt rules establishing minimum standards for such contracted services and facilities and shall make periodic audits and inspections to assure that the contracted services are provided and meet the standards of the department.

Section 2. Section 394.908, Florida Statutes, is amended to read:

394.908 Substance abuse and mental health funding equity; distribution of appropriations.—In recognition of the historical inequity ~~among service districts of the former Department of Health and Rehabilitative Services~~ in the funding of substance abuse and mental health services *for the districts and region*, and in order to rectify this inequity and provide for equitable funding in the future throughout the state, the following funding process shall be ~~used~~ *adhered to*:

(1) Funding thresholds for substance abuse and mental health services in each of the current districts, statewide, shall be established based on the current number of persons in need per district of substance abuse and mental health services, respectively.

(2) "Persons in need" means those persons who fit the profile of the respective target populations and require mental health or substance abuse services.

(3) ~~Seventy-five percent of~~ Any additional funding beyond the 2005-2006 ~~1996-1997~~ fiscal year base appropriation for alcohol, drug abuse, and mental health services shall be allocated to districts for substance abuse and mental health services based on:

(a) Epidemiological estimates of disabilities ~~that which~~ apply to the respective target populations.

(b) A pro rata share distribution that ensures districts below the statewide average funding level per person in each target population of "persons in need" receive funding necessary to achieve equity.

(4) ~~The remaining 25 percent shall be allocated based on the number of persons in need of substance abuse and mental health services per district without regard to current funding levels.~~

(4)(b) Target populations for persons in need shall be displayed for each district and distributed concurrently with the approved operating budget. The display by target population shall show: The annual number of persons served based on prior year actual numbers, the annual cost per person served, ~~the number of persons served by service cost center,~~ and the estimated number of the total target population for persons in need.

(5)(b) The annual cost per person served shall be defined as the total actual funding for each target population divided by the number of persons served in the target population for that year.

~~(7) Commencing on July 1, 1998, all additional funding pursuant to this section shall be performance-based.~~

~~(8) For fiscal year 2004-2005 only, and notwithstanding the provisions of this section, all new funds received in excess of fiscal year 2003-2004 recurring appropriations shall be allocated in accordance with the provisions of the General Appropriations Act; however, no district shall receive an allocation of recurring funds less than its initial approved operating budget, plus any distributions of lump sum appropriations or reductions in unfunded budget, for fiscal year 2003-2004. This subsection expires July 1, 2005.~~

Section 3. *Subsection (10) of section 402.33, Florida Statutes, is repealed.*

Section 4. Subsection (7) of section 409.1671, Florida Statutes, is amended to read:

409.1671 Foster care and related services; outsourcing.—

(7) ~~The Florida Coalition for Children, Inc., in consultation with The department, shall develop a plan, in consultation with the Florida Coalition for Children, Inc., based on an independent actuarial study regarding the long-term use and structure of a statewide community-based care risk pool for the protection of eligible lead community-based providers, their subcontractors, and providers of other social services who contract directly with the department. The plan must also outline strategies to maximize federal earnings as they relate to the community-based care risk pool. At a minimum, the plan must allow for the use of federal earnings received from child welfare programs to be allocated to the community-based care risk pool by the department, which earnings are determined by the department to be in excess of the amount appropriated in the General Appropriations Act. The plan must specify the necessary steps to ensure the financial integrity and industry standard risk management practices of the community-based care risk pool and the continued availability of funding from federal, state, and local sources. The plan must also include recommendations that permit the program to be available to entities of the department providing child welfare services until full conversion to community-based care takes place. The final plan shall be submitted to the department and then to the Executive Office of the Governor and the Legislative Budget Commission for formal adoption before January 1, 2005. Upon approval of the plan, the department may expend funds from the risk pool pursuant to the provisions of the plan. by all parties, the department shall issue an interest-free loan that is secured by the cumulative contractual revenue of the community-based care risk pool membership, and the amount of the loan shall equal the amount appropriated by the Legislature for this purpose. The plan shall provide for a governance structure that assures the department the ability to oversee the operation of the community-based care risk pool at least until this loan is repaid in full.~~

(a) The purposes for which the community-based care risk pool shall be used include, but are not limited to:

1. Significant changes in the number or composition of clients eligible to receive services.
2. Significant changes in the services that are eligible for reimbursement.
3. Scheduled or unanticipated, but necessary, advances to providers or other cash-flow issues.
4. Proposals to participate in optional Medicaid services or other federal grant opportunities.
5. Appropriate incentive structures.

6. Continuity of care in the event of failure, discontinuance of service, or financial misconduct by a lead agency.

7. Payment for time-limited technical assistance and consultation to lead agencies in the event of serious performance or management problems.

8. Payment for meeting all traditional and nontraditional insurance needs of eligible members.

9. Significant changes in the mix of available funds.

(b) After approval of the plan in the 2004-2005 fiscal year and annually thereafter, the department may also request in its annual legislative budget request, and the Governor may recommend, that the funding necessary to carry out paragraph (a) be appropriated to the department. ~~Subsequent funding of the community-based care risk pool shall be supported by premiums assessed to members of the community-based care risk pool on a recurring basis. The community-based care risk pool may invest and retain interest earned on these funds. In addition, the department may transfer funds to the community-based care risk pool as available in order to ensure an adequate funding level if the fund is declared to be insolvent and approval is granted by the Legislative Budget Commission. Such payments for insolvency shall be made only after a determination is made by the department or its actuary that all participants in the community-based care risk pool are current in their payments of premiums and that assessments have been made at an actuarially sound level. Such payments by participants in the community-based care risk pool may not exceed reasonable industry standards, as determined by the actuary. Money from this fund may be used to match available federal dollars. Dividends or other payments, with the exception of legitimate claims, may not be paid to members of the community-based care risk pool until the loan issued by the department is repaid in full. Dividends or other payments, with the exception of legitimate claims and other purposes contained in the approved plan, may not be paid to members of the community-based care risk pool unless, at the time of distribution, the community-based care risk pool is deemed actuarially sound and solvent. Solvency shall be determined by an independent actuary contracted by the department. The plan shall be developed in consultation with the Office of Insurance Regulation.~~

1. Such funds shall constitute partial security for contract performance by lead agencies and shall be used to offset the need for a performance bond. Subject to the approval of the plan, the community-based care risk pool shall be managed by the Florida Coalition for Children, Inc., or the designated contractors of the Florida Coalition for Children, Inc. Nonmembers of the community-based care risk pool may continue to contract with the department but must provide a letter of credit equal to one-twelfth of the annual contract amount in lieu of membership in the community-based care risk pool.

2. The department may separately require a bond to mitigate the financial consequences of potential acts of malfeasance, misfeasance, or criminal violations by the provider.

(c) *The department may issue an interest-free loan to the Florida Coalition for Children, Inc., for the purpose of creating a self-insurance program. Such loan shall be secured by the cumulative contractual revenue of the community-based care lead agencies participating in the self-insurance program. The amount of the loan shall be in an amount equal to the amount appropriated by the Legislature for this purpose.*

Section 5. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to funding for social services; amending s. 394.457, F.S.; deleting provisions authorizing a reimbursement rate of 100 percent by the Department of Children and Family Services for certain services provided under the Baker Act; amending s. 394.908, F.S.; revising the methodology for distributing funds for certain substance abuse and mental health services; repealing s. 402.33(10), F.S., relating to provisions authorizing the use of certain excess funds for nonrecurring expenditures incurred in providing direct client services and for certain administrative costs; amending s. 409.1671, F.S.; revising provisions requiring that a statewide risk pool be established for community-based providers, their subcontractors, and providers of other social services who contract with the Department of Children and Fam-

ily Services; requiring that the department develop a plan, in consultation with the Florida Coalition for Children, Inc., regarding the long-term use and structure of the risk pool; deleting certain restrictions governing payments for insolvency; authorizing the department to issue an interest-free loan to the Florida Coalition for Children, Inc.; providing an effective date.

On motions by Senator Saunders, by two-thirds vote **HB 5013** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peadar
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed HB 5017 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Barreiro—

HB 5017—A bill to be entitled An act relating to corrections; amending s. 20.315, F.S.; abolishing the Florida Corrections Commission; conforms cross-references; amending s. 784.078, F.S.; conforming a cross-reference; amending s. 921.187, F.S.; deleting a provision authorizing probation and restitution centers as a sentencing option; amending s. 944.026, F.S.; deleting the Department of Corrections' responsibilities and authority regarding probation and restitution centers; deleting the department's responsibilities and authority regarding pretrial intervention; amending s. 944.8041, F.S.; requiring the Department of Corrections, in lieu of the commission, to submit an annual report on certain elderly offenders; amending s. 945.025, F.S.; revising the jurisdiction of the Department of Corrections; repealing s. 947.01, F.S., relating to the creation of the Parole Commission; repealing s. 947.022, F.S., relating to terms of members of the Parole Commission; amending s. 948.03, F.S.; deleting a provision authorizing probation and restitution centers as an option for incarceration as a condition of probation; amending s. 948.035, F.S.; deleting a provision authorizing probation and restitution centers as an option for court-ordered residential treatment; amending s. 948.08, F.S.; authorizing counties to supervise pretrial intervention offenders; authorizing counties to contract for certain services and facilities; amending s. 948.09, F.S.; removing supervision costs payment requirement for pretrial intervention; conforms cross-references; amending s. 948.101, F.S.; deleting a provision authorizing probation and restitution centers as an option for incarceration as a condition of community control; amending s. 948.51, F.S.; deleting the authority of the department to contract with a county for probation and restitution centers; amending s. 951.231, F.S.; deleting the authority of the department to contract to house county prisoners and revising the conditions for a local government to provide county residential probation facilities; amending s. 957.04, F.S.; requiring the Department of Management Services, in lieu of the commission, to consider proposed waivers of rules, policies, and procedures of the Department of Corrections for contractors of private correctional facilities; providing that contracts for private correctional facilities may be for an extended period under certain circumstances; providing notification requirements if a decision is made to enter into a contract for an extended period; amending s. 957.07, F.S.; revising the membership of the Prison Per-Diem Workgroup; revising meeting requirements of the workgroup; revising information to be included in the consensus per diem rates developed by the workgroup;

revising use of the per diem rates developed by the workgroup; eliminating a provision that s. 957.07(5), F.S., supersedes certain proviso language in the Conference Report on CS for SB 2-C, ch. 2001-367, Laws of Florida; amending s. 958.04, F.S.; deleting a provision authorizing probation and restitution centers as an option for judicial disposition for incarceration of youthful offenders as a condition of probation or community control; amending ss. 20.32, 23.21, 112.011, 186.005, 255.502, 322.16, 394.926, 394.927, 775.089, 775.16, 784.07, 784.078, 843.01, 843.02, 843.08, 893.11, 921.001, 921.16, 921.20, 921.21, 921.22, 940.03, 940.05, 941.23, 943.0311, 943.06, 944.012, 944.02, 944.024, 944.23, 944.291, 944.4731, 945.091, 945.10, 945.47, 945.73, 947.002, 947.005, 947.02, 947.021, 947.1405, 947.141, 947.146, 947.181, 947.185, 947.22, 948.10, 949.05, 957.06, 958.045, 960.001, 960.17, 985.04, and 985.05, F.S.; abolishing the Parole Commission; providing for the creation of regional parole boards; providing for membership, powers, and duties of such boards; providing for assignment of inmates to boards; conforming provisions; transferring support for the Governor and Cabinet acting in their capacity as the Executive Board of Clemency from the Parole Commission to the Executive Office of the Governor; providing a directive to the Division of Statutory Revision; providing effective dates.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Crist, by two-thirds vote **HB 5017** was withdrawn from the Committee on Ways and Means and taken up instantaneously without objection.

On motion by Senator Crist, by two-thirds vote **HB 5017** was read the second time by title.

Senator Crist moved the following amendment which was adopted:

Amendment 1 (241744)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *The Legislature intends to revise laws relating to corrections.*

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to corrections; expressing the legislative intent to revise laws relating to corrections; providing an effective date.

On motions by Senator Crist, by two-thirds vote **HB 5017** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peadar
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 5019 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Barreiro—

HB 5019—A bill to be entitled An act relating to juvenile justice; providing a short title; amending s. 39.01, F.S.; including specified law enforcement officers in the definition of “other person responsible for a child’s welfare” for purposes of abuse investigations; amending s. 985.207, F.S.; permitting a law enforcement officer to take a child into custody for a violation of adjudication order conditions; amending s. 985.215, F.S.; permitting specified types of postadjudication detention for a child who has previously failed to appear at delinquency court proceedings regardless of risk assessment instrument results; providing exceptions that permit postadjudication detention until the child’s disposition order is entered in his or her case; conforming cross-references; amending s. 985.2155, F.S.; revising the definition of the term “fiscally constrained county” for purposes of determining state payment of costs of juvenile detention care; amending s. 985.228, F.S.; requiring the court to include specified conditions in a child’s order of adjudication of delinquency that apply during the postadjudication and predisposition period; providing a definition; permitting a court to find a child in contempt of court for a violation of adjudication order conditions; providing sanctions; amending s. 985.231, F.S.; conforming cross-references; repealing s. 985.309, F.S., relating to boot camps for children; creating s. 985.3091, F.S.; authorizing the department to contract for sheriff’s training and respect programs; providing eligibility requirements for children placed in the programs; specifying required program offerings; specifying program participation time frames; requiring the department to adopt rules and maintain specified records; providing for quarterly evaluations of and contract cancellation under specified circumstances; specifying staff training requirements; requiring the department to adopt training rules; prohibiting the provision of direct care to children by staff who have not complied with training requirements; prohibiting the operation of a program until department rules are adopted and the department has verified program compliance with applicable law and rules; authorizing emergency rules to expedite implementation; amending s. 985.311, F.S.; requiring the establishment of minimum thresholds for evaluations; conforming cross-references; creating s. 985.4055, F.S.; providing definitions; requiring the department to adopt rules establishing a protective action response policy; specifying when verbal and physical intervention techniques may be used; specifying prohibited uses of mechanical restraints; prohibiting use of aerosol and chemical agents; requiring the department to adopt rules establishing protection action response training curriculums and certification procedures; requiring department and provider employees to be certified in protective action response prior to exercising direct care; creating s. 985.4056, F.S.; creating the Juvenile Justice Accountability Commission; providing for membership; providing definitions; providing for meetings and voting requirements; providing for an executive director and staff; providing for commission’s budget; providing for reimbursement of per diem and travel expenses; requiring the commission to contract for a comprehensive evaluation and accountability system for juvenile justice programs; providing requirements for the system; requiring a report by the system provider; specifying commission duties; requiring a report by the commission; providing for termination of juvenile justice programs in specified circumstances; requiring the commission to adopt rules; amending s. 985.412, F.S.; deleting department’s authority to establish a comprehensive quality assurance system; providing conforming changes; deleting obsolete provisions relating to incentive and disincentive proposals and liquidated damages; amending ss. 958.046, 985.31, and 985.314, F.S.; conforming cross-references and terminology; creating the cost of supervision and care waiver pilot program in the Ninth Judicial Circuit; requiring waiver of fees imposed under s. 985.2311, F.S., for successful completion of specified parenting classes; providing conditions applicable to such waiver; providing for review of the pilot program and reports by the Office of Program Policy and Government Accountability; requiring the Juvenile Justice Accountability Commission to contract for the provision of parenting classes; providing for future repeal; providing for a type two transfer of powers, duties, resources, and personnel relating to specified department responsibilities to the Juvenile Justice Accountability Commission; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Crist, by two-thirds vote **HB 5019** was withdrawn from the Committee on Ways and Means and taken up *instanter* without objection.

On motion by Senator Crist, by two-thirds vote **HB 5019** was read the second time by title.

Senator Crist moved the following amendment which was adopted:

Amendment 1 (422446)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *The Legislature intends to revise laws relating to juvenile justice.*

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to juvenile justice; expressing the legislative intent to revise laws relating to juvenile justice; providing an effective date.

On motions by Senator Crist, by two-thirds vote **HB 5019** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed as amended **HB 5021** and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Negron and others—

HB 5021—A bill to be entitled An act relating to sexually violent predators; amending s. 394.916, F.S.; providing that a trial in a proceeding to commit a sexually violent predator may be continued once if specified conditions are met; providing that no additional continuances may be granted unless a court finds that a manifest injustice would occur; providing for a determination of competency to proceed in such a commitment trial; providing for placement of incompetent persons in secure forensic mental health facilities until competence is restored; creating s. 394.9171, F.S.; providing for committed sexually violent predators to petition for transfer to commitment to secure forensic mental health facilities; provides that such a transfer is the equivalent of an involuntary inpatient placement under a specified provision; creating s. 394.932, F.S.; requiring the Justice Administrative Commission to maintain a registry of mental health and other experts; providing for advertising of the registry; requiring the commission to advise registry users that it is their responsibility to verify a listed person’s qualifications; providing for electronic publication; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Crist, by two-thirds vote **HB 5021** was withdrawn from the Committee on Ways and Means and taken up *instanter* without objection.

On motion by Senator Crist, by two-thirds vote **HB 5021** was read the second time by title.

Senator Crist moved the following amendment which was adopted:

Amendment 1 (802974)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *The Legislature intends to revise laws relating to sexually violent predators.*

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to sexually violent predators; expressing the legislative intent to revise laws relating to sexually violent predators; providing an effective date.

On motions by Senator Crist, by two-thirds vote **HB 5021** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Rich
Atwater	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise
Diaz de la Portilla	Miller	

Nays—None

Vote after roll call:

Yea—Baker

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed HB 5023 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Fiscal Council; and Representative Berfield—

HB 5023—A bill to be entitled An act relating to employee benefits; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

On motion by Senator Carlton, by two-thirds vote **HB 5023** was withdrawn from the Committee on Ways and Means and taken up instanter without objection.

On motion by Senator Carlton, by two-thirds vote **HB 5023** was read the second time by title.

Senator Carlton moved the following amendment which was adopted:

Amendment 1 (562462)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *All economic collective bargaining issues at impasse for the 2006-2007 fiscal year between the State of Florida and the legal representatives of the certified bargaining units for state employees shall be resolved pursuant to the instructions provided in Senate Bill 2700 (2006 Regular Session) and the relevant provisions of any legislation enacted to implement Senate Bill 2700.*

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to employee benefits; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing an effective date.

On motions by Senator Carlton, by two-thirds vote **HB 5023** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise

Nays—None

MOTIONS

On motion by Senator Carlton, the House was requested to concur in the Senate amendments to **HB 5001, HB 5003, HB 5005, HB 5007, HB 5009, HB 5011, HB 5013, HB 5017, HB 5019, HB 5021 and HB 5023**; and in the event the House refuses to concur in the Senate Amendments to these bills, requested that a conference committee be appointed.

CONFEREES APPOINTED

The President appointed the following conferees on **HB 5001, HB 5003, HB 5005, HB 5007, HB 5009, HB 5011, HB 5013, HB 5017, HB 5019, HB 5021 and HB 5023**: Senator Carlton, Chair; Senators Villalobos and Miller, At-Large Members; Education: Senator Alexander, Chair; Senators Bullard, Constantine, King, Klein, Lynn, Miller and Wise; General Government: Senator Clary, Chair; Senators Baker, Garcia, Lawson and Siplin; Health and Human Services: Senator Saunders, Chair; Senators Bennett, Dawson, Jones, Peaden, Pruitt, Rich and Wilson; Justice: Senator Crist, Chair; Senators Argenziano, Aronberg, Smith and Villalobos; and Transportation and Economic Development: Senator Fasano, Chair; Senators Dockery, Hill, Margolis, Sebesta and Webster.

The action of the Senate was certified to the House.

BILLS ON THIRD READING

SENATOR PRUITT PRESIDING

Consideration of **CS for CS for SB 1018** was deferred.

On motion by Senator Campbell, by two-thirds vote **HB 191** was withdrawn from the Committee on Judiciary.

On motion by Senator Campbell, by two-thirds vote—

HB 191—A bill to be entitled An act relating to guardianship; amending s. 737.2065, F.S.; excepting the contesting of trust validity by property guardians of incapacitated settlors from a prohibition against commencing certain actions; amending s. 744.107, F.S.; revising provisions relating to court monitors; requiring orders of appointment and monitors' reports to be served upon certain persons; authorizing the court to determine which persons may inspect certain orders or reports; authorizing the court to enter any order necessary to protect a ward or ward's

estate; requiring notice and hearing; authorizing a court to assess certain costs and attorney's fees under certain circumstances; creating s. 744.1075, F.S.; authorizing a court to appoint a court monitor on an emergency basis under certain circumstances; requiring the court to make certain findings; specifying a time period for a monitor's authority; providing for extending such time period; requiring the monitor to report findings and recommendations; providing duties of the court relating to probable cause for the emergency appointment; authorizing the court to determine which persons may inspect certain orders or reports; providing requirements for a court order to show cause for the emergency appointment; authorizing the court to issue certain injunctions or orders for certain purposes; requiring the court to provide copies of such injunctions or orders to all parties; authorizing the court to impose sanctions or take certain enforcement actions; providing for payment of reasonable fees to the monitor; prohibiting certain persons from receiving certain fees; authorizing a court to assess certain costs and attorney's fees under certain circumstances; amending s. 744.331, F.S.; requiring a court to determine whether acceptable alternatives to guardianship of incapacitated persons exist under certain circumstances; requiring appointment of a guardian if no alternative exists; prohibiting such appointment if an alternative exists; specifying circumstances of nonexistence of an alternative; preserving certain court authority to determine exercise of certain powers of attorney; amending s. 744.441, F.S.; requiring a court to make certain findings in a ward's best interest before authorizing a guardian to bring certain actions; requiring a court to review certain continuing needs for guardians and delegation of a ward's rights; creating s. 744.462, F.S.; requiring guardians to immediately report certain judicial determinations in certain guardianship proceedings; requiring a court to review certain continuing needs for guardians and delegation of a ward's rights under certain circumstances; providing an effective date.

—a companion measure, was substituted for **SB 356** as amended and by two-thirds vote read the second time by title. On motion by Senator Campbell, by two-thirds vote **HB 191** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	King	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Webster
Constantine	Lynn	Wilson
Crist	Margolis	Wise
Diaz de la Portilla	Miller	

Nays—None

On motion by Senator Campbell, by two-thirds vote **HB 193** was withdrawn from the Committees on Judiciary; Governmental Oversight and Productivity; and Rules and Calendar.

On motion by Senator Campbell, by two-thirds vote—

HB 193—A bill to be entitled An act relating to public records exemptions; creating s. 744.1076, F.S.; creating exemptions from public records requirements for certain court records relating to appointment of certain court monitors, reports of such monitors, and determinations and orders of a court relating to findings of no probable cause; providing for future legislative review and repeal; providing findings of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **SB 358** and by two-thirds vote read the second time by title. On motion by Senator Campbell, by two-thirds vote **HB 193** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—36

Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Geller	Pruitt
Atwater	Haridopolos	Rich
Baker	Hill	Saunders
Bennett	Jones	Sebesta
Campbell	King	Siplin
Carlton	Klein	Smith
Clary	Lawson	Villalobos
Constantine	Lynn	Webster
Crist	Margolis	Wilson
Diaz de la Portilla	Miller	Wise

Nays—None

Vote after roll call:

Yea—Bullard, Garcia

Consideration of **CS for CS for SB 656** was deferred.

SPECIAL ORDER CALENDAR

On motion by Senator Baker—

CS for SB 2034—A bill to be entitled An act relating to educational opportunities for children and spouses of deceased or disabled veterans and servicemembers; amending s. 295.01, F.S.; providing that it is the declared policy of the state to provide educational opportunity at state expense for spouses of deceased or disabled servicemembers; providing criteria for qualification for such benefits for unremarried spouses of deceased servicemembers and dependent spouses of disabled servicemembers; amending s. 295.02, F.S.; specifying uses of funds appropriated for such educational opportunities; amending s. 295.03, F.S., relating to withdrawal of benefits upon failure to comply with minimum educational requirements; revising terminology; amending s. 295.05, F.S., relating to enrollment as a prerequisite to receipt of benefits; revising terminology; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2034** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg—

CS for CS for SB 80—A bill to be entitled An act relating to electronic mail; requiring certain governmental entities to post a notice on their websites that electronic mail addresses sent to them are subject to release to the public; amending s. 668.606, F.S.; providing an exemption from criminal liability for certain carriers whose equipment transmits commercial electronic mail messages that violate s. 668.603, F.S., which prohibits specified actions relating to transmission of false or misleading unsolicited commercial electronic mail messages; amending s. 668.6075, F.S., and renumbering and amending subsection (2) thereof as s. 668.610, F.S.; providing that remedies and penalties under the Electronic Mail Communications Act are cumulative; creating s. 668.608, F.S.; providing criminal penalties for violations of s. 668.603, F.S., which prohibits specified actions relating to transmission of false or misleading unsolicited commercial electronic mail messages; providing applicability; providing an effective date.

—was read the second time by title.

Senator Aronberg moved the following amendment which was adopted:

Amendment 1 (723788)(with title amendment)—On page 3, line 31, insert:

Section 5. Part IV of chapter 668, Florida Statutes, consisting of sections 668.701, 668.702, 668.703, 668.704, and 668.705, Florida Statutes, is created to read:

PART IV
FRAUDULENT USE OR POSSESSION OF IDENTIFYING
INFORMATION

668.701 *Short title.*—This part may be cited as the “Anti-Phishing Act.”

668.702 *Definitions.*—As used in this part, the term:

- (1) “Department” means the Department of Legal Affairs.
- (2) “Electronic mail address” has the same meaning as provided in s. 668.602.
- (3) “Electronic mail message” has the same meaning as provided in s. 668.602.
- (4) “Identifying information” has the same meaning as the term “personal identification information” as defined in s. 817.568(1).
- (5) “Internet domain name” has the same meaning as provided in s. 668.602.
- (6) “Web page” means a location that has a single uniform resource locator (URL) with respect to the World Wide Web or another location that can be accessed on the Internet.

668.703 *Prohibited acts.*—

(1) A person with an intent to engage in conduct involving the fraudulent use or possession of another person’s identifying information may not represent oneself, directly or by implication, to be another person without the authority or approval of such other person through the use of a web page or Internet domain name and use that web page, Internet domain name, or a link to that web page or domain name or another site on the Internet to induce, request, or solicit a resident of this state to provide identifying information.

(2) A person with an intent to engage in conduct involving the fraudulent use or possession of identifying information may not send or cause to be sent to an electronic mail address held by a resident of this state an electronic mail message that is falsely represented as being sent by another person without the authority or approval of such other person, refers or links the recipient of the message to a web page, and directly or indirectly induces, requests, or solicits the recipient of the electronic mail message to provide identifying information.

668.704 *Remedies.*—

(1) The following persons may bring a civil action against a person who violates this part:

- (a) A person engaged in the business of providing Internet access service to the public who is adversely affected by the violation.
- (b) A financial institution as defined in s. 655.005(1) that is adversely affected by the violation.
- (c) An owner of a web page, trademark, or service mark who is adversely affected by the violation.
- (d) The Attorney General.

(2) A person bringing an action under this section may:

- (a) Seek injunctive relief to restrain the violator from continuing the violation.
- (b) Recover damages in an amount equal to the greater of:
 1. Actual damages arising from the violation; or
 2. The sum of \$5,000 for each violation of the same nature.
- (3) The court may increase an award of actual damages in an action brought under this section to an amount not to exceed three times the actual damages sustained if the court finds that the violations have occurred with a frequency as to constitute a pattern or practice.

(4) For purposes of this section, violations are of the same nature if the violations consist of the same course of conduct or action, regardless of the number of times the conduct or action occurred.

(5) A plaintiff who prevails in an action filed under this section is entitled to recover reasonable attorney’s fees and court costs.

(6) By committing a violation under this part, the violator submits personally to the jurisdiction of the courts of this state. This section does not preclude other methods of obtaining jurisdiction over a person who commits a violation under this part.

(7) An action under this part may be brought in any court of competent jurisdiction to enforce such rights and to recover damages as stated in this part.

(8) The venue for a civil action brought under this section shall be the county in which the plaintiff resides or in any county in which any part of the alleged violation under this part took place, regardless of whether the defendant was ever actually present in that county. A civil action filed under this section must be brought within 3 years after the violation occurred.

(9) The remedies available under this section are in addition to remedies otherwise available for the same conduct under federal or state law.

(10) Any moneys received by the Attorney General for attorney’s fees and costs of investigation or litigation in proceedings brought under this section shall be deposited as received into the Legal Affairs Revolving Trust Fund.

(11) Any moneys received by the Attorney General which are not for attorney’s fees and costs of investigation or litigation or used for reimbursing persons found under this part to be damaged shall accrue to the state and be deposited as received into the Legal Affairs Revolving Trust Fund.

(12) The Department of Legal Affairs may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this part.

668.705 *Exemptions.*—

(1) This part does not apply to a telecommunications provider’s or Internet service provider’s good faith transmission or routing of, or intermediate temporary storing or caching of, identifying information.

(2) A provider of an interactive computer service is not liable under the laws of this state for removing or disabling access to content that resides on an Internet website or other online location controlled or operated by such provider if such provider believes in good faith that the content is used to engage in a violation of this part.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 23, after the semicolon (;) insert: creating part IV of ch. 668, F.S.; providing a short title; providing definitions; prohibiting certain acts relating to fraudulent use or possession of identifying information; authorizing civil actions for violations; providing for injunctive relief and damages; authorizing courts to increase awards of actual damages under certain circumstances; providing for recovery of attorney’s fees and court costs; providing for jurisdiction and venue; providing for deposit of certain moneys received by the Attorney General into the Legal Affairs Revolving Trust Fund; authorizing the Department of Legal Affairs to adopt rules; providing for nonapplication to certain entities’ good faith handling of identifying information; specifying the absence of liability for certain actions taken to prevent certain violations;

Pursuant to Rule 4.19, **CS for CS for SB 80** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Carlton—

SB 1282—A bill to be entitled An act relating to K-8 virtual schools; establishing the K-8 Virtual School Program within the Department of Education; providing requirements for schools to be eligible to participate in the program; authorizing participating schools to be for-profit or nonprofit entities; providing a procedure by which schools can apply to participate in the program; requiring that the application and approval process be available by a specified time; requiring that instructional personnel have Florida teaching certificates; requiring participating

school personnel to undergo certain background screening required by law; requiring education plans to conform to the Sunshine State Standards; requiring school applicants to provide a 3-year financial plan; requiring the department to act on school applications within 90 days; providing for 3-year contracts for approved schools; authorizing contract renewals; designating participating schools as independent schools; requiring participating schools to provide each student with the equipment, materials, and services necessary to receive instruction; authorizing the current virtual school pilot programs to continue operation through the 2006-2007 school year; requiring pilot schools to meet all application requirements in order to operate beyond the 2006-2007 school year; providing eligibility requirements for students; requiring that enrolled students meet the requirements for compulsory attendance; requiring verification of student attendance; requiring enrolled students to participate in the state assessment program; requiring that funding for the program be established annually in the General Appropriations Act; providing a payment schedule to participating schools; requiring schools to participate in the statewide assessment program; requiring that schools be subject to the school grading system; requiring improvement plans for low-performing schools; requiring contract termination for continued low performance; providing causes for nonrenewal or termination of a school contract; requiring nonrenewed or terminated schools to be responsible for debt; authorizing students of a terminated school to attend other public schools; requiring the State Board of Education to adopt rules to administer the program; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1282** was placed on the calendar of Bills on Third Reading.

On motion by Senator Jones—

CS for SB 274—A bill to be entitled An act relating to defibrillators in state parks; creating s. 258.0165, F.S.; encouraging state parks to have a functioning automated external defibrillator; requiring training, maintenance, and location registration; providing immunity from liability under the Good Samaritan Act and the Cardiac Arrest Survival Act; authorizing the Division of Recreation and Parks to adopt rules; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 274** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 250—A bill to be entitled An act relating to human trafficking; amending s. 787.06, F.S.; providing legislative findings and intent; defining the term “financial harm”; redefining the term “forced labor or services” to include circumstances involving the use of fraud or coercion against a person, the use of certain debt practices, and the destruction, concealing, or withholding of a person’s identification documents; providing for attempted human trafficking to be an equal crime to human trafficking; prohibiting knowingly benefiting financially or receiving anything of value from human trafficking when the trafficked person engages in forced labor or services; providing criminal penalties; amending s. 772.102, F.S.; expanding the definition of the term “criminal activity” to include the offense of human trafficking and the offense of sex trafficking for purposes of seeking civil remedies for criminal offenses; amending s. 772.104, F.S.; revising a civil cause of action relating to injuries by reason of criminal activity; providing for alternative damages for violations relating to sex trafficking and human trafficking; amending s. 895.02, F.S.; redefining the term “racketeering activity” to include the offense of human trafficking for purposes of the Florida RICO Act; reenacting ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., relating to the authority of the Office of the Statewide Prosecutor; the definition of “specified unlawful activity” in a law prohibiting money laundering in financial institutions and in the Florida Money Laundering Act, and the subject matter jurisdiction of a statewide grand jury, to incorporate the amendments made to s. 895.02, F.S., in references thereto; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Smith, the rules were waived to allow the following amendment to be considered:

Senator Smith moved the following amendment:

Amendment 1 (031720)(with directory and title amendments)—On page 12, line 26 through page 13, line 7, delete those lines and insert:

11. Any criminal violation of s. 409.920 or s. 409.9201; ~~or~~

12. Any crime involving voter registration, voting, or candidate or issue petition activities; ~~or~~

13. *Any criminal violation of s. 787.06 or any offense involving or related to a violation of s. 787.06;*

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits.

(b) Upon request, cooperate with and assist state attorneys and state and local law enforcement officials in their efforts against organized crimes.

(c) Request and receive from any department, division, board, bureau, commission, or other agency of the state, or of any political subdivision thereof, cooperation and assistance in the performance of its duties.

(2) The Attorney General shall appoint a statewide prosecutor from not less than three persons nominated by the judicial nominating commission for the Supreme Court. The statewide prosecutor shall be in charge of the Office of Statewide Prosecution for a term of 4 years to run concurrently with the term of the appointing official. The statewide prosecutor shall be an elector of the state, shall have been a member of The Florida Bar for the preceding 5 years, and shall devote full time to the duties of statewide prosecutor and not engage in the private practice of law. The Attorney General may remove the statewide prosecutor prior to the end of his or her term. A vacancy in the position of statewide prosecutor shall be filled within 60 days. During the period of any vacancy, the Attorney General shall exercise all the powers and perform all the duties of the statewide prosecutor. A person appointed statewide prosecutor is prohibited from *qualifying as a candidate for election running for or accepting appointment* to any state *elected* office for a period of 2 years following vacation of office. The statewide prosecutor shall on March 1 of each year report in writing to the Governor and the Attorney General on the activities of the office for the preceding year and on the goals and objectives for the next year.

And the directory clause is amended as follows:

On page 11, lines 18-21, delete those lines and insert:

Section 5. Subsections (1) and (2) of section 16.56, Florida Statutes, are amended to read:

And the title is amended as follows:

On page 1, line 2 through page 2, line 2, delete those lines and insert: An act relating to the prosecution of human trafficking; amending s. 787.06, F.S.; providing legislative findings and intent; defining the term “financial harm”; redefining the term “forced labor or services” to include circumstances involving the use of fraud or coercion against a person, the use of certain debt practices, and the destruction, concealing, or withholding of a person’s identification documents; providing for attempted human trafficking to be an equal crime to human trafficking; prohibiting knowingly benefiting financially or receiving anything of value from human trafficking when the trafficked person engages in forced labor or services; providing criminal penalties; amending s. 772.102, F.S.; expanding the definition of the term “criminal activity” to include the offense of human trafficking and the offense of sex trafficking for purposes of seeking civil remedies for criminal offenses; amending s. 772.104, F.S.; revising a civil cause of action relating to injuries by reason of criminal activity; providing for alternative damages for violations relating to sex trafficking and human trafficking; amending

s. 895.02, F.S.; redefining the term “racketeering activity” to include the offense of human trafficking for purposes of the Florida RICO Act; amending s. 16.56, F.S.; authorizing the Office of the Statewide Prosecution to prosecute any offense involving human trafficking; reenacting ss. 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., relating to the definition of “specified

On motion by Senator Margolis, further consideration of **CS for CS for SB 250** with pending **Amendment 1 (031720)** was deferred.

On motion by Senator Alexander—

SB 346—A bill to be entitled An act relating to workers’ compensation for first responders; creating s. 112.1815, F.S.; providing a definition of the term “first responder”; providing a standard of proof for first responders with an injury or disease caused by exposure to a toxic substance; providing that any adverse result or complication relating to smallpox vaccinations is an injury by accident arising out of employment for first responders; providing a standard of proof for first responders in cases involving occupational disease; providing for the continuation of permanent total supplemental benefits after the age of 62 for certain first responders; providing a method for determining attorney’s fees for first responders in cases involving exposure to toxic substances or occupational diseases; providing a definition of the term “occupational disease”; providing that the act fulfills an important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 346** was placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine—

CS for CS for SB 1542—A bill to be entitled An act relating to the Public Counsel; amending s. 350.0611, F.S.; providing additional authority to the Public Counsel, including the authority to provide legal representation to, and to appear on behalf of, the state and its political subdivisions as consumers of communications services and utility services, to receive, investigate, and take legal action upon complaints involving communications services not within the jurisdiction of the Public Service Commission, to appear before state and federal agencies to enhance terms and conditions of utility and communications services, and to analyze and report on pending legislation relevant to utility and communications services; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1542** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker, by two-thirds vote **HB 155** was withdrawn from the Committees on Transportation; Criminal Justice; and Justice Appropriations.

On motion by Senator Baker—

HB 155—A bill to be entitled An act relating to vehicle crashes; creating the “Justin McWilliams ‘Justice For Justin’ Act”; amending s. 316.027, F.S.; requiring the driver of a vehicle involved in a crash occurring on public or private property that results in injury of a person to immediately stop the vehicle and remain at the scene; providing that failure to stop the vehicle and remain at the scene by the driver of a vehicle involved in a crash occurring on public or private property that results in the death of a person is a first degree felony; providing penalties; amending s. 921.0022, F.S.; revising felony classification in the Criminal Punishment Code offense severity ranking chart for specified violations; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 276** and read the second time by title.

MOTION

On motion by Senator Baker, the rules were waived to allow the following amendments to be considered:

Senator Baker moved the following amendments which were adopted:

Amendment 1 (510980)(with title amendment)—On page 1, line 24 through page 2, line 13, delete those lines and insert:

Section 2. Subsection (1) of section 316.027, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

316.027 Crash involving death or personal injuries.—

(1)(a) The driver of any vehicle involved in a crash *occurring on public or private property that results* ~~resulting~~ in injury of any person must immediately stop the vehicle at the scene of the crash, or as close thereto as possible, and must remain at the scene of the crash until he or she has fulfilled the requirements of s. 316.062. Any person who willfully violates this paragraph *commits* ~~is guilty of~~ a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) The driver of any vehicle involved in a crash *occurring on public or private property that results* ~~resulting~~ in the death of any person must immediately stop the vehicle at the scene of the crash, or as close thereto as possible, and must remain at the scene of the crash until he or she has fulfilled the requirements of s. 316.062. Any person who willfully violates this paragraph *commits* ~~is guilty of~~ a felony of the *first second* degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5) *This section does not apply to crashes occurring during a motorsports event, as defined in s. 549.10(1), or at a closed-course motorsport facility, as defined in s. 549.09(1).*

And the title is amended as follows:

On page 1, line 14, after the semicolon (;) insert: providing an exception for motorsports events;

Amendment 2 (542572)—Lines 18 and 19, delete those lines and insert:

Section 1. This act may be cited as the “Justin McWilliams Act”.

Pursuant to Rule 4.19, **HB 155** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Rich—

CS for SB 174—A bill to be entitled An act relating to theft of property; amending s. 812.13, F.S.; providing that if an offender threatens to use a weapon or firearm during the course of a robbery, the offender commits a felony of the first degree; providing for penalties; reenacting s. 921.0022(3), (f), (h), and (i), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendment to s. 812.13, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 174** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

CS for CS for SB 214—A bill to be entitled An act relating to dart-firing stun guns; amending s. 790.001, F.S.; defining the term “dart-firing stun gun” for purposes of ch. 790, F.S., relating to weapons and firearms; deleting the definition of the term “remote stun gun”; amending ss. 790.01 and 790.053, F.S., relating to the carrying of concealed weapons and the open carrying of weapons; conforming provisions to the change in the definition made by the act to authorize the carrying of a dart-firing stun gun for purposes of lawful self-defense; amending s. 790.054, F.S.; providing that it is a third-degree felony to use a dart-firing stun gun against an on-duty law enforcement officer; creating s. 943.1717, F.S.; providing circumstances during which law enforcement, correctional, and correctional probation officers may employ a dart-firing stun gun; requiring the Criminal Justice Standards and Training

Commission to establish standards for instruction in the use of dart-firing stun guns; requiring that a minimum number of hours in such training be included in the basic-skills course required for certain certifications; requiring certain officers who have not received training in the use of dart-firing stun guns and who are authorized to carry dart-firing stun guns to receive training; requiring annual training for certain officers; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 214** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for SB 1308—A bill to be entitled An act relating to a public-records exemption for alternative investments; amending s. 215.44, F.S.; providing definitions; defining the term “proprietary confidential business information” and specifying information that does not constitute proprietary confidential business information; creating an exemption from public-records requirements for proprietary confidential business information held by the State Board of Administration regarding alternative investments; providing for limited duration of the exemption; authorizing the State Board of Administration to use such information in judicial or administrative proceedings under specified circumstances; providing for retroactive application of the exemption; authorizing a proprietor of a record to certify the record as proprietary confidential business information; providing procedures and requirements with respect thereto; authorizing a court to order the release of portions of confidential and exempt records upon making certain findings; providing for future review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senator Garcia moved the following amendment which was adopted:

Amendment 1 (172392)—On page 5, lines 22-24, delete those lines and insert:

a. That the requested record contains proprietary confidential business information and the specific location of such information within the record;

Pursuant to Rule 4.19, **CS for SB 1308** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Argenziano, by two-thirds vote **HB 5025** was withdrawn from the Committees on Governmental Oversight and Productivity; and Ways and Means.

On motion by Senator Argenziano, by two-thirds vote—

HB 5025—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2006, and July 1, 2007; providing a declaration of important state interest; providing an effective date.

—a companion measure, was substituted for **CS for SB 1040** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 5025** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker—

CS for SB 1540—A bill to be entitled An act relating to veterinary drug distribution; amending s. 499.006, F.S.; providing that a drug is

adulterated if it is a certain prescription drug that has been returned by a veterinarian to a limited prescription drug veterinary wholesaler; amending s. 499.01, F.S.; requiring a limited prescription drug veterinary wholesaler to obtain a permit for operation from the Department of Health; providing that a permit for a limited prescription drug veterinary wholesaler may not be issued to the address of certain health care entities; amending s. 499.012, F.S.; revising permit requirements for a veterinary prescription drug wholesaler that distributes prescription drugs; establishing a permit for a limited prescription drug veterinary wholesaler; providing requirements; providing an exception; amending s. 499.0122, F.S.; redefining the term “veterinary legend drug retail establishment”; amending s. 499.041, F.S.; requiring the department to assess an annual fee within a certain monetary range for a limited prescription drug veterinary wholesaler permit; amending s. 499.065, F.S.; requiring the department to inspect each limited prescription drug veterinary wholesaler establishment; authorizing the department to determine that a limited prescription drug veterinary wholesaler establishment is an imminent danger to the public; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1540** was placed on the calendar of Bills on Third Reading.

On motion by Senator Crist—

SB 694—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; revising the applicability of ch. 538, F.S.; exempting persons or entities offering secondhand goods or personal property for sale, purchase, consignment, or trade via the Internet from the provisions of ch. 538, F.S., under certain circumstances; exempting certain businesses that sell, rent, or trade motion picture videos or video games from ch. 538, F.S.; amending s. 538.04, F.S.; revising recordkeeping requirements for secondhand dealers; providing penalties for knowingly giving false verification of ownership or a false or altered identification, and for receiving money from a secondhand dealer for goods sold, consigned, or traded if the value of the money received is less than \$300, and if the value of the money received is \$300 or more; providing for the electronic transfer of secondhand dealer transactions under specified circumstances; authorizing appropriate law enforcement agencies to provide a secondhand dealer with a computer and other equipment necessary to electronically transfer secondhand dealer transactions; providing procedures with respect to the electronic transfer of secondhand dealer transactions; amending s. 538.05, F.S.; revising provisions relating to the inspection of records and premises of secondhand dealers; amending s. 538.06, F.S.; revising provisions with respect to the holding of goods upon probable cause that the goods are stolen; providing for payment of restitution, attorney’s fees, and costs to a secondhand dealer under specified circumstances; increasing the time limit for maintenance of transaction records by dealers in secondhand property; amending s. 538.07, F.S.; revising provisions relating to restitution for stolen property recovered from a secondhand dealer; amending s. 538.09, F.S.; revising provisions with respect to registration as a secondhand dealer; revising conditions under which registration may be denied, revoked, restricted, or suspended by the Department of Revenue; repealing s. 538.16, F.S., relating to disposal of property by secondhand dealers; amending s. 516.02, F.S.; removing cross-references; reenacting s. 790.335(3)(f), F.S., which provides a second-degree-felony penalty for any secondhand dealer who contracts with a specified third-party provider or electronically transmits certain records of firearms transactions to any third-party provider; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 694** was placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater—

CS for SB 1418—A bill to be entitled An act relating to perjury; creating s. 837.051, F.S.; providing a penalty for knowingly and willfully giving false information to a law enforcement officer who is in the course of conducting a felony or missing-person investigation with the intent to mislead the officer or impede the investigation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1418** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden—

SB 374—A bill to be entitled An act relating to the area health education center network; amending s. 381.0402, F.S.; requiring the Department of Health to cooperate with specified medical schools in maintaining and evaluating the network; expanding the purposes of the network; requiring the department to contract with the medical schools to provide funds to the network; providing that the persons to be served by the network are “medically underserved populations” rather than “low-income people”; requiring that the center assist in linking the provision of primary care services to medically underserved populations and to provide for the education of students in the health care professions and health care providers serving medically underserved populations, as well as medical students, interns, and residents; amending s. 381.0405, F.S.; providing that the Office of Rural Health is responsible for state coordination of federal rural hospital and rural health care grant programs; deleting obsolete provisions; creating s. 381.0409, F.S.; authorizing the Department of Health to coordinate with the Federal Government in carrying out certain activities relating to the recruitment and placement of health practitioners in medically underserved areas; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 374** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for SB 1670—A bill to be entitled An act relating to state financial matters; amending s. 121.4501, F.S.; revising the method for calculating interest on certain moneys transferred between retirement accounts; providing for credit for military service of members of the Public Employee Optional Retirement Program; amending s. 121.591, F.S.; prescribing procedures to follow if a participant in the Public Employee Optional Retirement Program receives an invalid distribution; amending s. 215.47, F.S.; revising standards for determining eligibility of specified savings accounts, certificates of deposit, time drafts, bills of exchange, bonds, notes, and other instruments for investment by the State Board of Administration; amending s. 1002.36, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1670** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg, by two-thirds vote **HB 521** was withdrawn from the Committees on Judiciary; and Banking and Insurance.

On motion by Senator Aronberg, by two-thirds vote—

HB 521—A bill to be entitled An act relating to probate; amending s. 655.935, F.S.; revising procedures relating to opening a decedent's safe-deposit box; amending s. 655.936, F.S.; revising procedures relating to delivery of a decedent's safe-deposit box by lessor; amending s. 655.937, F.S.; revising procedures relating to granting access to safe-deposit boxes leased in two or more names; amending s. 732.2135, F.S.; revising provisions relating to time of filing or withdrawing certain estate share elections; amending s. 732.402, F.S.; revising procedures relating to filing petitions for determinations of exempt property; amending s. 733.212, F.S.; revising procedures and requirements relating to notices of administration and petitions for relief; amending s. 733.6065, F.S.; revising procedures relating to the opening of a safe-deposit box leased or co-leased by decedent; providing an effective date.

—a companion measure, was substituted for **SB 1824** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 521** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden—

CS for SB 1922—A bill to be entitled An act relating to the State Long-Term Care Ombudsman Program; amending s. 400.0060, F.S.; providing and revising definitions; amending s. 400.0061, F.S.; revising legislative findings and intent; amending s. 400.0063, F.S.; revising provisions relating to qualifications of the State Long-Term Care Ombudsman; revising duties of the legal advocate; amending s. 400.0065, F.S.; revising duties and responsibilities of the State Long-Term Care Ombudsman; requiring an annual report; deleting provisions relating to conflict of interest; repealing s. 400.0066, F.S., relating to the Office of State Long-Term Care Ombudsman and departments of state government; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; providing for election of a local council member from each local council to provide representation on the state council; authorizing the Secretary of Elderly Affairs to recommend to the Governor appointments for at-large positions on the state council; providing conditions for removal of members of and for filling vacancies on the state council; providing for election of officers and meetings; providing for per diem and travel expenses if approved by the ombudsman; deleting provisions relating to conflicts of interest and requests for appropriations; amending s. 400.0069, F.S.; authorizing the State Long-Term Care Ombudsman to designate and direct local long-term care ombudsman councils; requiring approval by the Secretary of Elderly Affairs of jurisdictional boundaries designated by the ombudsman; revising duties of local long-term care ombudsman councils; providing requirements and application for membership, election of officers, and meetings of local long-term care ombudsman councils; providing conditions for removal of members; providing for travel expenses for members of the council; deleting provisions relating to conflicts of interest; creating s. 400.0070, F.S.; consolidating provisions relating to conflicts of interest of the ombudsman; providing rulemaking authority to the Department of Elderly Affairs regarding conflicts of interest; amending s. 400.0071, F.S.; requiring rules for receiving, investigating, and assessing complaints against long-term care facilities; deleting provisions requiring the posting and distribution of copies of such procedures; amending s. 400.0073, F.S.; providing conditions for investigations of complaints by state and local ombudsman councils; providing that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S., under certain circumstances; deleting conditions for onsite administrative inspections; creating s. 400.0074, F.S.; providing conditions and requirements for onsite administrative assessments of nursing homes, assisted living facilities, and adult family-care homes; prohibiting forcible entry of long-term care facilities; providing that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S., under certain circumstances; amending s. 400.0075, F.S.; providing complaint notification procedures for state and local councils; providing circumstances in which information relating to violations by a long-term care facility is provided to a local law enforcement agency; amending s. 400.0078, F.S.; requiring information relating to the State Long-Term Care Ombudsman Program to be provided to residents of long-term care facilities or their representatives; amending s. 400.0079, F.S.; providing for immunity from liability for certain persons; amending s. 400.0081, F.S.; requiring long-term care facilities to provide the Office of State Long-Term Care Ombudsman and state and local councils and their members with access to the facility and the records and residents of the facility; authorizing rather than requiring the department to adopt rules regarding access to facilities, records, and residents; amending s. 400.0083, F.S.; prohibiting certain actions against persons who file complaints; providing penalties; repealing s. 400.0085, F.S., relating to a penalty; amending s. 400.0087, F.S.; providing for oversight by and responsibilities of the department; requiring the department to provide certain funding for the State Long-Term Care Ombudsman Program; amending s. 400.0089, F.S.; requiring the office to maintain a data reporting system relating to complaints about and conditions in long-term care facilities and to residents therein; requiring the office to publish and include certain information in its annual report; amending s. 400.0091, F.S.; providing for training of employees of the office and members of the state and local councils; requiring the ombudsman to approve the curriculum and providing contents thereof; requiring certification of employees by the ombudsman; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1922** was placed on the calendar of Bills on Third Reading.

On motion by Senator Argenziano—

CS for SB 1042—A bill to be entitled An act relating to the Florida Retirement System; creating s. 121.047, F.S.; consolidating the operation of the Institute of Food and Agricultural Sciences Supplemental Retirement Program under the Florida Retirement System; providing for assumption of program liabilities and obligations; abolishing the Institute of Food and Agricultural Sciences Supplemental Retirement Trust Fund; barring program participants from membership in the Florida Retirement System; amending s. 121.40, F.S., relating to the establishment and administration of the Institute of Food and Agricultural Sciences Supplemental Retirement Program; conforming provisions to changes made by the act; redefining the term “trust fund” for purposes of administering the program; providing a rate of monthly contributions; removing provisions relating to investments of the program trust fund; providing a legislative finding that the act fulfills an important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1042** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lawson—

CS for CS for SB 428—A bill to be entitled An act relating to per diem and travel expenses; amending s. 112.061, F.S.; revising per diem, subsistence, and mileage rates for purposes of reimbursement of travel expenses of public officers, employees, and authorized persons; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 428** was placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater—

CS for CS for SB 1678—A bill to be entitled An act relating to governmental operations; creating s. 216.0236, F.S.; providing legislative intent that the fees charged by state agencies for providing a regulatory service or regulating a profession or business cover the costs of the regulatory service or oversight; requiring that each state agency review its fees; providing criteria for the review; requiring that each agency, as part of its legislative budget request, provide to the Governor and Legislature information regarding alternatives for realigning revenues or costs to make a regulatory service or program self-sufficient or provide justification for a subsidy from other state funds; requiring legislative review of all regulatory fee structures at least once every 5 years; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1678** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden—

CS for SB 790—A bill to be entitled An act relating to certificates of need; transferring, renumbering, and amending s. 651.1185, F.S.; extending the moratorium on certificates of need for additional community nursing home beds until July 1, 2011; providing an exception to the moratorium; amending s. 408.040, F.S.; authorizing nursing homes in certain counties to request a reduction in their annual Medicaid patient days; requiring the Agency for Health Care Administration to automatically grant such a request if the nursing home meets certain conditions; providing for future repeal; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment which was adopted:

Amendment 1 (673770)(with title amendment)—On page 4, between lines 22 and 23, insert:

Section 2. Present paragraphs (f)-(s) of subsection (3) of section 408.036, Florida Statutes, are redesignated as paragraphs (g)-(t), respectively, and a new paragraph (f) is added to that subsection, to read:

408.036 Projects subject to review; exemptions.—

(3) EXEMPTIONS.—Upon request, the following projects are subject to exemption from the provisions of subsection (1):

(f) *For the creation of a single nursing home within a district by combining licensed beds from two or more licensed nursing homes within such district, regardless of subdistrict boundaries, where 50 percent of the beds in the created nursing home are transferred from the only nursing home in a county and its utilization data demonstrate that it had an occupancy rate of less than 75 percent for the 12-month period ending 90 days before the request for the exemption.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 7, after the semicolon (;) insert: amending s. 408.036, F.S.; exempting a nursing home that is created by combining certain licensed beds from requirements for obtaining a certificate of need from the Agency for Health Care Administration;

Pursuant to Rule 4.19, **CS for SB 790** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater—

CS for SB 792—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 213.053, F.S., relating to an exemption from public-records requirements for information contained in returns, accounts, or declarations received by the Department of Revenue pursuant to ch. 202, F.S.; making organizational and grammatical changes; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for the repeal of the exemption; amending ss. 202.37, 206.27, 409.2577, 607.0130, 608.703, 617.01301, and 896.102, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 792** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg—

CS for CS for SB 1488—A bill to be entitled An act relating to telephone calling records; providing definitions; prohibiting a person from obtaining or attempting to obtain the calling record of another person by making false or fraudulent statements or by providing false or fraudulent documents to a telecommunications company, or by selling or offering to sell a calling record that was obtained in a fraudulent manner; providing that it is a first-degree misdemeanor to commit a first violation and a third-degree felony to commit a second or subsequent violation; providing penalties; providing that it is not a violation of the act for a law enforcement agency or telecommunications company to obtain calling records for specified purposes; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1488** was placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine, by two-thirds vote **HB 487** was withdrawn from the Committees on Transportation; Governmental Oversight and Productivity; and Transportation and Economic Development Appropriations.

On motion by Senator Constantine, by two-thirds vote—

HB 487—A bill to be entitled An act relating to the Commission for the Transportation Disadvantaged; amending s. 427.012, F.S.; revising the membership of the commission; establishing term limits; directing each member of the commission to serve without regional bias; providing qualifications for appointment to membership on the commission; providing for nonvoting advisory members; requiring candidates for appointment to the commission to meet certain standards for background screening; requiring the Department of Transportation to inform the commission if a candidate fails to meet the screening standards; providing that costs of screening be borne by the department or the candidate for appointment; authorizing the commission to appoint technical working groups; providing for membership of the working groups; amending s. 427.013, F.S.; requiring the commission to develop a transportation fund allocation methodology for certain purposes; specifying methodology criteria; preserving Agency for Health Care Administration authority to distribute Medicaid funds; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 634** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 487** was placed on the calendar of Bills on Third Reading.

On motion by Senator Smith—

SB 1948—A bill to be entitled An act relating to disclosures in connection with the sale of coastal property; amending s. 161.57, F.S.; revising requirements for the disclosures that must be provided by a seller of coastal property to the purchaser; providing that failure to deliver a disclosure, affidavit, or survey does not create a right of rescission or impair title to the property; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1948** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 2188** was deferred.

On motion by Senator Aronberg—

CS for CS for SB 1958—A bill to be entitled An act relating to airboats; amending s. 327.02, F.S.; defining the terms “airboat” and “muffler”; conforming terminology; creating s. 327.391, F.S.; providing for the regulation of airboat operation and equipment; requiring a sound-muffling device, as described; requiring the display of flags, as described; providing penalties; amending s. 327.60, F.S.; prohibiting an ordinance or local law from discriminating against airboats; providing an exception; amending s. 327.73, F.S.; providing penalties; amending s. 327.731, F.S.; providing for mandatory education; amending ss. 320.08, 328.17, 342.07, and 715.07, F.S.; correcting cross-references; amending s. 713.78, F.S.; correcting cross-references and conforming terminology; amending s. 616.242, F.S.; conforming terminology; providing effective dates.

—was read the second time by title.

MOTION

On motion by Senator Aronberg, the rules were waived to allow the following amendments to be considered:

Senator Aronberg moved the following amendments which were adopted:

Amendment 1 (773366)—On page 3, lines 13-17, delete those lines and insert:

(4) *This section does not apply to a person participating in an event for which a permit is required, or of which notice must be given, under s. 327.48.*

Amendment 2 (824236)—On page 2, line 5, before “designed” insert: *primarily*

Amendment 3 (775562)—On page 4, line 8, delete “super majority” and insert: *two-thirds*

Pursuant to Rule 4.19, **CS for CS for SB 1958** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Jones—

CS for SB's 1086 and 1604—A bill to be entitled An act relating to building designations; designating a building located at the University of South Florida St. Petersburg as “H. William Heller Hall”; directing the University of South Florida St. Petersburg to erect suitable markers; designating a building in Lee County as the Joseph P. D'Alessandro Office Complex; directing the Department of Management Services to erect suitable markers; designating the John M. McKay Visitors Pavilion at the John and Mabel Ringling Museum of Art at the Florida State University Center for Cultural Arts; designating the Reubin O'D. Askew Student Life Center, the Sherrill Williams Ragans Hall, the John Thrasher Building, the Mike Martin Field at Dick Howser Stadium, and the JoAnne Graf Softball Field at Florida State University; authorizing Florida State University to erect markers; designating the Powell Family Structures and Materials Laboratory, the Steinbrenner Band Hall, the Jim and Alexis Pugh Hall, and the L. E. “Red” Larson Dairy Science Building at the University of Florida; directing the University of Florida to erect suitable markers; designating the Kleist Health Education Center, the Herbert J. Sugden Hall, Holmes Hall, and Lutgert Hall at Florida Gulf Coast University; directing Florida Gulf Coast University to erect suitable markers; designating the new alumni center at the Boca Raton campus of Florida Atlantic University as the “Marleen and Harold Forkas Alumni Center”; directing Florida Atlantic University to erect suitable markers; designating the art museum at the University Park campus of Florida International University as the “Patricia and Phillip Frost Art Museum”; directing Florida International University to erect suitable markers; designating the John S. Curran, M.D., Children's Health Center at the University of South Florida; directing the University of South Florida to erect suitable markers; designating the Florida Center for Solid and Hazardous Waste Management as the “William W. 'Bill' Hinkley Center for Solid and Hazardous Waste Management”; directing the Department of Environmental Protection to erect suitable markers; designating the FAMU-FSU College of Engineering Building as the “Herbert F. Morgan Building”; authorizing Florida Agricultural and Mechanical University and Florida State University to erect markers; designating the School of Business and Industry Building at Florida Agricultural and Mechanical University as the “Sybil C. Mobley Business Building”; providing for the erection of markers; designating the Allied Health Building at Florida Agricultural and Mechanical University as the “Margaret W. Lewis/Jacqueline B. Beck Allied Health Building”; providing for the erection of markers; designating the Architecture Building at Florida Agricultural and Mechanical University as the “Walter L. Smith Architecture Building”; providing for the erection of markers; designating the Archives Building at Florida Agricultural and Mechanical University as the “Carrie Meek/James N. Eaton, Sr., Southeastern Regional Black Archives Research Center and Museum”; designating the Multipurpose Classroom Building Number 46 at the University of North Florida as “Hodges Stadium”; authorizing the University of North Florida to erect markers; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB's 1086 and 1604** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

SB 1386—A bill to be entitled An act relating to youthful offenders; amending s. 958.045, F.S.; deleting a provision limiting certain sentencing options available to the court following a violation of the conditions of probation by a youthful offender; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1386** was placed on the calendar of Bills on Third Reading.

On motion by Senator Smith—

CS for CS for SB 1212—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 403.067, F.S., relating to an exemption from public-records requirements provided for individual agricultural records of processes, methods of production, and costs which are not otherwise public records and which are reported to the Department of Agriculture and Consumer Services; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1212** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker, by two-thirds vote **HB 1167** was withdrawn from the Committees on Criminal Justice; and Health Care.

On motion by Senator Baker, by two-thirds vote—

HB 1167—A bill to be entitled An act relating to sexual predators; creating s. 794.075, F.S.; prohibiting a sexual predator from possessing prescription erectile dysfunction drugs in certain circumstances; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 1834** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 1167** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg—

CS for SB 764—A bill to be entitled An act relating to travel-limited life insurance coverage; amending s. 626.9541, F.S.; specifying prohibited activities by insurers relating to lawful travel; providing exceptions; authorizing the adoption of rules by the Financial Services Commission to implement the act and allow for limited exceptions based on emergencies and public policy; providing an effective date.

—was read the second time by title.

Senator Aronberg moved the following amendment which was adopted:

Amendment 1 (154806)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as the “Freedom to Travel Act.”*

Section 2. Paragraph (dd) is added to subsection (1) of section 626.9541, Florida Statutes, to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(dd) *Life insurance limitations based on past foreign travel experiences or future foreign travel plans.*—

1. *An insurer may not refuse life insurance to, refuse to continue the life insurance of, or limit the amount, extent, or kind of life insurance coverage available to an individual based solely on the individual's past lawful foreign travel experiences.*

2. *An insurer may not refuse life insurance to, refuse to continue the life insurance of, or limit the amount, extent, or kind of life insurance coverage available to an individual based solely on the individual's future lawful travel plans unless the insurer can demonstrate and the Office of Insurance Regulation determines that:*

a. *Individuals who travel are a separate actuarially supportable class whose risk of loss is different from those individuals who do not travel; and*

b. *Such risk classification is based upon sound actuarial principles and actual or reasonably anticipated experience that correlates to the risk of travel to a specific destination.*

3. *The commission may adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to implement this paragraph and may provide for limited exceptions that are based upon national or international emergency conditions that affect the public health, safety, and welfare and that are consistent with public policy.*

4. *Each market conduct examination of a life insurer conducted pursuant to s. 624.3161 shall include a review of every application under which such insurer refused to issue life insurance, refused to continue life insurance, or limited the amount, extent, or kind of life insurance issued, based upon future lawful travel plans.*

5. *The administrative fines provided in s. 624.4211(2) and (3) shall be trebled for violations of this paragraph.*

6. *The Office of Insurance Regulation shall report to the President of the Senate and the Speaker of the House of Representatives by March 1, 2007, and on the same date annually thereafter, on the implementation of this paragraph. The report shall include, but not be limited to, the number of applications under which life insurance was denied, continuance was refused, or coverage was limited based on future travel plans, the number of insurers taking such action, and the reason for taking each such action.*

Section 3. This act shall take effect July 1, 2006.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to travel-limited life insurance coverage; providing a short title; amending s. 626.9541, F.S.; specifying prohibited activities by insurers for life insurance coverage relating to lawful travel experiences or plans; authorizing the Financial Services Commission to adopt rules and provide certain limited exceptions based on emergency conditions and public policy; requiring market conduct examinations of life insurers to include a review of certain applications; providing for trebling certain administrative fines for certain violations; requiring the Office of Insurance Regulation to report annually to the Legislature; providing report requirements; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 764** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Margolis, the Senate resumed consideration of—

CS for CS for SB 250—A bill to be entitled An act relating to human trafficking; amending s. 787.06, F.S.; providing legislative findings and intent; defining the term “financial harm”; redefining the term “forced labor or services” to include circumstances involving the use of fraud or coercion against a person, the use of certain debt practices, and the destruction, concealing, or withholding of a person's identification documents; providing for attempted human trafficking to be an equal crime to human trafficking; prohibiting knowingly benefiting financially or receiving anything of value from human trafficking when the trafficked person engages in forced labor or services; providing criminal penalties; amending s. 772.102, F.S.; expanding the definition of the term “criminal activity” to include the offense of human trafficking and the offense of sex trafficking for purposes of seeking civil remedies for criminal offenses; amending s. 772.104, F.S.; revising a civil cause of action relating to injuries by reason of criminal activity; providing for alternative damages for violations relating to sex trafficking and human trafficking; amending s. 895.02, F.S.; redefining the term “racketeering activity” to include the offense of human trafficking for purposes of the Florida

RICO Act; reenacting ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., relating to the authority of the Office of the Statewide Prosecutor; the definition of "specified unlawful activity" in a law prohibiting money laundering in financial institutions and in the Florida Money Laundering Act, and the subject matter jurisdiction of a statewide grand jury, to incorporate the amendments made to s. 895.02, F.S., in references thereto; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (031720)** by Senator Smith was adopted.

Pursuant to Rule 4.19, **CS for CS for SB 250** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Campbell—

CS for CS for SB 2188—A bill to be entitled An act relating to mediation; amending s. 44.1011, F.S.; revising, creating, and deleting definitions; creating s. 44.1015, F.S.; providing standards for conduct of mediation; providing for the role of the mediator and counsel in specified mediations; amending s. 44.102, F.S.; requiring referral of certain cases to mediation; prohibiting certain cases from being referred to mediation; requiring the Supreme Court to maintain a list of certified mediators; amending s. 44.108, F.S.; providing that no mediation fee is required in certain cases; amending s. 61.183, F.S.; requiring the court in certain family law cases to make mediation referrals in accordance with the statute governing court-ordered mediation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2188** was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

THE PRESIDENT PRESIDING

On motion by Senator Margolis, by two-thirds vote **SB 348** and **SB 1250** were withdrawn from the committees of reference and further consideration.

On motion by Senator Pruitt, by two-thirds vote **CS for CS for SB 660** was withdrawn from the Committee on General Government Appropriations; **CS for SB 514**, **CS for SB 516**, **CS for SB 696**, **CS for SB 698**, **CS for SB 700**, **CS for SB 710**, **CS for SB 1036**, **CS for SB 1078** and **CS for SB 1530** were withdrawn from the Committee on Rules and Calendar; **SJR 98** was withdrawn from the Committees on Ways and Means; and Rules and Calendar; **CS for SB 256** and **CS for SB 2234** were withdrawn from the Committee on Education Appropriations; **CS for SB 286** was withdrawn from the Committee on Regulated Industries; **CS for CS for SB 1030** and **SB 1850** were withdrawn from the Committee on Governmental Oversight and Productivity; **CS for SB 1136** was withdrawn from the Committees on Community Affairs; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar; and referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar; **CS for SB 1544** was withdrawn from the Committees on Governmental Oversight and Productivity; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Rules and Calendar; **SM 1676** and **SM 2626** were withdrawn from the Committee on Rules and Calendar; and referred to the Committee on Banking and Insurance; **SB 2632** was withdrawn from the Committees on Government Efficiency Appropriations; and Transportation and Economic Development Appropriations; and **SB 900** was withdrawn from the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar; and referred to the Committees on Community Affairs; and Government Efficiency Appropriations.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 19, 2006: **CS for SB 2034**, **CS for CS for SB 80**, **SB 1282**, **CS for SB 274**,

CS for CS for SB 250, **SB 346**, **CS for CS for SB 1542**, **CS for CS for SB 276**, **CS for SB 174**, **CS for CS for SB 214**, **CS for SB 1308**, **CS for SB 1040**, **CS for SB 1540**, **SB 694**, **CS for SB 1418**, **SB 374**, **CS for SB 1670**, **SB 1824**, **CS for SB 1922**, **CS for SB 1042**, **CS for CS for SB 428**, **CS for CS for SB 1678**, **CS for SB 790**, **CS for SB 792**, **CS for CS for SB 1488**, **CS for CS for SB 634**, **SB 1948**, **CS for CS for SB 2188**, **CS for CS for SB 1958**, **CS for SB's 1086** and **1604**, **SB 1386**, **CS for CS for SB 1212**, **CS for SB 1834**, **CS for SB 764**

Respectfully submitted,
Ken Pruitt, Chair

The Committee on Environmental Preservation recommends the following pass: **SB 2586** with 2 amendments

The bill was referred to the Committee on Agriculture under the original reference.

The Committee on Education recommends the following pass: **SB 2464**

The Committee on Regulated Industries recommends the following pass: **SB 2472**

The Committee on Transportation recommends the following pass: **SB 878** with 1 amendment, **SB 1022** with 1 amendment, **SB 2076**, **SB 2078** with 1 amendment, **SB 2080**

The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Education recommends the following pass: **SB 1384**

The Committee on Environmental Preservation recommends the following pass: **CS for SB 990** with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Children and Families recommends the following pass: **SB 2288** with 1 amendment

The bill was referred to the Committee on Education under the original reference.

The Committee on Children and Families recommends the following pass: **CS for SB 1876** with 1 amendment

The Committee on Community Affairs recommends the following pass: **CS for SB 2480**

The Committee on Education recommends the following pass: **SB 2688**

The bills contained in the foregoing reports were referred to the Committee on Education Appropriations under the original reference.

The Committee on Communications and Public Utilities recommends the following pass: **SB 2478** with 1 amendment, **SB 2494**

The bills were referred to the Committee on Environmental Preservation under the original reference.

The Committee on Environmental Preservation recommends the following pass: **CS for SB 1546**

The Committee on Government Efficiency Appropriations recommends the following pass: CS for SB 1230, SB 1592, SJR 1840

The Committee on Regulated Industries recommends the following pass: CS for SB 2216

The Committee on Transportation recommends the following pass: SB 2446 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Environmental Preservation recommends the following pass: CS for SB 2332 with 1 amendment

The bill was referred to the Committee on Government Efficiency Appropriations under the original reference.

The Committee on Education recommends the following pass: SB 1710

The bill was referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Government Efficiency Appropriations recommends the following pass: SB 1314

The bill was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Education recommends the following pass: SB 1928, SB 2082

The bills were referred to the Committee on Health Care under the original reference.

The Committee on Community Affairs recommends the following pass: SB 2218 with 1 amendment

The bill was referred to the Committee on Regulated Industries under the original reference.

The Committee on Government Efficiency Appropriations recommends the following pass: CS for SB 2098

The bill was referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Education Appropriations recommends the following pass: CS for SB 918

The Committee on General Government Appropriations recommends the following pass: SJR 98

The Committee on Government Efficiency Appropriations recommends the following pass: CS for SJR 1344, SB 2676

The Committee on Health and Human Services Appropriations recommends the following pass: CS for SB 220, SB 972

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 1536

The Committee on Education Appropriations recommends the following pass: CS for SB 306 with 1 amendment, CS for SB 1146, CS for CS for CS for SB 2280

The Committee on General Government Appropriations recommends the following pass: CS for SB 1024, CS for SB 2118, SB 2174

The Committee on Health and Human Services Appropriations recommends the following pass: CS for CS for SB 1510, CS for CS for CS for SB 1826

The Committee on Justice Appropriations recommends the following pass: CS for CS for SB 158, CS for SB 526, CS for SB 730, CS for SB 908

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for CS for SB 786, CS for SB 2242

The Committee on Ways and Means recommends the following pass: SB 714, CS for SB 1430

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Environmental Preservation recommends the following not pass: SB 732

The bill was laid on the table.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1954

The Committee on Communications and Public Utilities recommends a committee substitute for the following: SB 900

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Commerce and Consumer Services under the original reference.

The Committee on Communications and Public Utilities recommends a committee substitute for the following: SB 890

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1880

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Environmental Preservation under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2118

The Committee on Environmental Preservation recommends a committee substitute for the following: SB 1892

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1012

The Committee on Community Affairs recommends a committee substitute for the following: SB 1858

The Committee on Judiciary recommends a committee substitute for the following: SB 256

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Government Efficiency Appropriations under the original reference.

The Committee on Commerce and Consumer Services recommends a committee substitute for the following: SB 2668

The bill with committee substitute attached was referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Ethics and Elections recommends a committee substitute for the following: Senate Bills 716 and 2660

The bills with committee substitute attached were referred to the Committee on Judiciary under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 286

The bill with committee substitute attached was referred to the Committee on Regulated Industries under the original reference.

The Committee on Ways and Means recommends a committee substitute for the following: SJR 194

The bill with committee substitute attached was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1980

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 528, SB 530 and SB 858

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: CS for SB 156, SB 280, SB 448, SB 1000

The Committee on Transportation and Economic Development Appropriations recommends a committee substitute for the following: CS for SB 2580

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Children and Families recommends a committee substitute for the following: CS for SB 2184

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: CS for SB 1532, CS for SB 1694

The Committee on Justice Appropriations recommends committee substitutes for the following: CS for CS for CS for SB 544, CS for SB 940

The Committee on Regulated Industries recommends a committee substitute for the following: CS for SB 1774

The Committee on Ways and Means recommends committee substitutes for the following: CS for CS for SB 888, SB 1342, CS for SB 1980

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Education recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

*For Term
Ending*

State Board of Education		
Appointees:	Kathleen Shanahan	12/31/2009
	Linda K. Taylor	12/31/2009
Board of Governors		
Appointees:	Akshay M. Desai	01/06/2013
	Charles B. Edwards	01/06/2013
	Frank T. Martin	01/06/2012
	Hector A. "Tico" Perez	01/06/2013
	John W. Temple	01/06/2013
	Jorge L. Arrizurieta	01/06/2013
Board of Trustees, Florida A & M University		
Appointees:	Corey L. Alston	01/06/2011
	Pamela Davis Duncan	01/06/2011
	R. B. Holmes, Jr.	01/06/2011
Board of Trustees, Florida Atlantic University		
Appointees:	Nancy W. Blosser	01/06/2011
	Rajendra P. Gupta	01/06/2011
	Robert J. Stilley	01/06/2011
Board of Trustees, University of Central Florida		
Appointees:	Alan Florez	01/06/2010
	Judith "Judy" C. Albertson	01/06/2011
	Olga M. Calvet	01/06/2011
	Phyllis Klock	01/06/2011
Board of Trustees, Florida State University		
Appointees:	Emily F. Duda	01/06/2011
	Leslie V. Pantin	01/06/2011
Board of Trustees, Florida Gulf Coast University		
Appointees:	James R. Malone	01/06/2011
	Larry D. Hart	01/06/2011
	Lindsay M. Harrington	01/06/2011
	Plutarco Miguel "Michael" Villalobos	01/06/2010
Board of Trustees, Florida International University		
Appointees:	Albert E. Dotson	01/06/2011
	Claudia Puig	01/06/2011
	R. Kirk Landon	01/06/2010
	Sergio Pino	01/06/2011
Board of Trustees, New College of Florida		
Appointees:	Elaine M. Keating	01/06/2011
	Vicki Pearthree Raeburn	01/06/2011
	Walter L. "Mickey" Presha	01/06/2011
Board of Trustees, University of Florida		
Appointees:	Carlos J. Alfonso	01/06/2011
	Dianna Morgan	01/06/2011
	Manuel "Manny" A. Fernandez	01/06/2011
Board of Trustees, University of North Florida		
Appointees:	Toni Crawford	01/06/2011
	Wanyonyi Kendrick	01/06/2011
	Wilfredo J. Gonzalez	01/06/2011
Board of Trustees, University of South Florida		
Appointees:	Jan E. Smith	01/06/2011
	John B. Ramil	01/06/2011
	Kiran C. Patel	01/06/2010
	Lee E. Arnold, Jr.	01/06/2011
	Margarita R. Cancio	01/06/2011
Board of Trustees, University of West Florida		
Appointees:	Catherine Kelly	01/06/2011
	Jeanne Barber Godwin	01/06/2011
	Martha "Marny" Alice Gilluly	01/06/2011

The Committee on Education recommends that the Senate confirm the following appointments made by the Board of Governors:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida A & M University Appointee: Leerie T. Jenkins, Jr.	01/06/2011
Board of Trustees, Florida Atlantic University Appointee: William J. Bryant	01/06/2011
Board of Trustees, University of Central Florida Appointee: Thomas H. Yochum	01/06/2011
Board of Trustees, Florida State University Appointees: David B. Ford Manuel A. Garcia III	01/06/2011 01/06/2011
Board of Trustees, Florida Gulf Coast University Appointees: Brian E. Cobb Jerry Starkey	01/06/2011 01/06/2011
Board of Trustees, Florida International University Appointees: Betsy S. Atkins Miriam Lopez Rosa Sugranes	01/06/2010 01/06/2011 01/06/2011
Board of Trustees, University of Florida Appointee: W. A. McGriff III	01/06/2011
Board of Trustees, University of North Florida Appointee: Joan W. Newton	01/06/2011
Board of Trustees, University of West Florida Appointee: Nancy A. Fetterman	01/06/2011

The Committee on Environmental Preservation recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Environmental Regulation Commission Appointees: Anthony J. Clemente Cari L. Roth Marjorie G. Craig Richard D. Gragg III	07/01/2009 07/01/2009 07/01/2009 07/01/2007
Governing Board of the Northwest Florida Water Management District Appointees: George Roberts Peter Antonacci Stephanie H. Bloyd	03/01/2010 03/01/2008 03/01/2010
Governing Board of the St. Johns River Water Management District Appointees: Susan N. Hughes W. Leonard Wood	03/01/2010 03/01/2010
Governing Board of the South Florida Water Management District Appointees: Michael J. Collins Miya Burt-Stewart	03/01/2010 03/01/2010
Governing Board of the Southwest Florida Water Management District Appointees: Maritza Rovira-Forino Sallie Parks Todd Pressman	03/01/2010 03/01/2010 03/01/2010
Governing Board of the Suwannee River Water Management District Appointees: Georgia Cochran Jones Oliver J. Lake	03/01/2010 03/01/2010

[The appointments contained in the foregoing reports were referred to the Committee on Ethics and Elections under the original reference.]

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Resolutions 2816-2826—Not referenced.

By Senator Rich—

SB 2828—A bill to be entitled An act relating to Broward County; providing for annexation and deannexation of certain described lands within the municipal limits of the City of Pembroke Pines and the Town of Southwest Ranches; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Rich—

SB 2830—A bill to be entitled An act relating to the Sunshine Water Control District, Broward County; repealing chapter 63-609, Laws of Florida, the enacting law of the district, and providing for incorporation thereof as an ordinance of the City of Coral Springs; providing for classification and status of the district; providing for election or appointment of supervisors; providing for approval of the budget of the district; providing for powers and responsibilities of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Rich—

SB 2832—A bill to be entitled An act relating to the North Broward Hospital District, Broward County; codifying, amending, reenacting, and repealing chapters 27438 (1951), 61-1931, 61-1937, 63-1192, 65-1316, 65-1319, 67-1170, 67-1171, 69-895, 69-898, 69-914, 70-622, 71-567, 71-576, 71-578, 73-411, 73-412, 73-413, 74-449, 75-347, 75-348, 76-338, 77-508, 78-481, 80-464, 80-468, 81-354, 84-399, 86-369, 87-508, 90-485, 91-351, 97-372, and 2002-363, Laws of Florida; codifying the district charter; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

SR 2834—Not referenced.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Health and Human Services Appropriations; Community Affairs; and Senators Lynn, Atwater, Fasano, Hill, Posey and Rich—

CS for CS for SB 156—A bill to be entitled An act relating to the Florida 211 Network; amending s. 408.918, F.S.; requiring the Florida 211 Network to provide services in each county and to coordinate services with county emergency management agencies during disasters; providing requirements for distribution of state funds appropriated for such purposes; requiring local matching funds; requiring expenditure reports to the Florida Alliance of Information and Referral Services, the Agency for Health Care Administration, and the Legislature; defining the term “211 provider”; providing appropriations; providing an effective date.

By the Committee on Ways and Means; and Senators Fasano, Jones, Haridopolos, Wise, Hill, Garcia, Smith, Posey, Baker, Clary, Margolis, Alexander, Peaden, Campbell, Sebesta, Bennett, Atwater, King, Lawson, Argenziano, Miller and Crist—

CS for SJR 194—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution, relating to homestead exemptions from ad valorem taxation, to provide a discount from the amount of ad valorem taxation levied on the homestead of a World War II veteran who meets specified criteria.

By the Committee on Judiciary; and Senators King and Wise—

CS for SB 256—A bill to be entitled An act relating to scholarship program accountability; amending s. 1002.39, F.S., relating to the John M. McKay Scholarships for Students with Disabilities Program; revising the definition of the term “students with disabilities”; revising student eligibility requirements for receipt of a scholarship and restricting eligibility therefor; providing for the term of a scholarship; revising and adding school district obligations and clarifying parental options; revising and adding Department of Education obligations, including verification of eligibility of private schools and establishment of a process for notification of violations, subsequent inquiry or investigation, and certification of compliance by private schools; providing Commissioner of Education authority and obligations, including the denial, suspension, or revocation of a private school’s participation in the scholarship program and procedures and timelines therefor; authorizing the Department of Education’s Office of the Inspector General to release student records under certain conditions; revising private school eligibility and obligations, including compliance with specified laws and academic accountability to the parent; revising parent and student responsibilities for scholarship program participation; prohibiting power of attorney for endorsing a scholarship warrant; revising provisions relating to scholarship funding and payment; providing funding and payment requirements for former Florida School for the Deaf and the Blind students and for students exiting a Department of Juvenile Justice program; providing for the Department of Education to request a sample of endorsed warrants from the Department of Financial Services; amending s. 220.187, F.S., relating to credits for contributions to nonprofit scholarship-funding organizations; revising and providing definitions; naming the Corporate Income Tax Credit Scholarship Program; providing student eligibility requirements for receipt of a corporate income tax credit scholarship and restricting eligibility therefor; revising provisions relating to tax credits for small businesses; providing for adjustment of the total amount of tax credits and carryforward of tax credits; providing for rescindment of tax credit allocation; revising and adding obligations of eligible nonprofit scholarship-funding organizations, including compliance with requirements for background checks of owners and operators, scholarship-funding organization ownership or operation, carryforward and transfer of funds, audits, and reports; specifying background screening requirements and procedures; requiring that certain information remain confidential in accordance with s. 213.053, F.S.; revising and adding parent and student responsibilities for scholarship program participation, including compliance with a private school’s published policies, participation in student academic assessment, and restrictive endorsement of scholarship warrants; prohibiting power of attorney for endorsing a scholarship warrant; revising and adding private school eligibility requirements and obligations, including compliance with specified laws and academic accountability to parents; revising and adding Department of Education obligations, including verification of eligibility of program participants, establishment of a process for notification of violations, subsequent inquiry or investigation, certification of compliance by private schools, and selection of a research organization to analyze student performance data; providing Commissioner of Education authority and obligations, including the denial, suspension, or revocation of a private school’s participation in the scholarship program and procedures and timelines therefor; authorizing the Department of Education’s Office of the Inspector General to release student records under certain circumstances; revising and adding provisions relating to scholarship funding and payment, including the amount of a scholarship and the payment process; requiring adoption of rules; creating s. 1002.421, F.S., relating to accountability of private schools participating in state school choice scholarship programs; providing requirements for participation in a scholarship program, including compliance with specified state, local, and federal laws and demonstration of fiscal soundness;

requiring restrictive endorsement of a scholarship warrant and prohibiting power of attorney for endorsing a warrant; requiring employment of qualified teachers and background screening of employees and contracted personnel having direct student contact; specifying background screening requirements and procedures; providing scope of authority; requiring adoption of rules; providing an effective date.

By the Committee on Health and Human Services Appropriations; and Senators Fasano and Lynn—

CS for SB 280—A bill to be entitled An act relating to community behavioral health agencies; creating s. 394.9085, F.S.; providing that certain facilities or programs have liability limits in negligence actions under certain circumstances; limiting net economic damages allowed per claim; requiring that damages be offset by collateral source payment in accordance with s. 768.76, F.S.; requiring that costs to defend actions be assumed by the provider or its insurer; specifying occasions upon which the limitations on liability enjoyed by the provider extend to the employee; requiring that providers obtain and maintain specified liability coverage; specifying that persons providing contractual services to the state are not considered agents or employees under ch. 440, F.S.; providing for an annual increase in the conditional limitations on damages; providing definitions; providing construction; preserving sovereign immunity for governmental units and entities protected by sovereign immunity; providing an effective date.

By the Committee on Banking and Insurance; and Senators Fasano, Baker, Lynn, Dockery and Crist—

CS for SB 286—A bill to be entitled An act relating to sinkhole insurance; amending s. 627.706, F.S.; allowing a deductible amount applicable to sinkhole losses in a policy for residential property insurance; defining the term “professional engineer”; amending s. 627.707, F.S.; revising references to certain engineers; authorizing insurers to make direct payment for certain repairs; excluding insurers from liability for repairs under certain circumstances; amending s. 627.7072, F.S.; revising references to certain engineers; amending s. 627.7073, F.S.; revising requirements for sinkhole reports by professional engineers and professional geologists; providing for the recording of sinkhole reports by the clerk of court rather than the property appraiser; creating s. 627.7074, F.S.; prescribing an alternative method for resolving disputed sinkhole insurance claims; providing definitions; prescribing procedures for invoking the alternative method; providing that a recommendation by a neutral evaluator is not binding on any party; providing for payments of costs; requiring the insurer to pay attorney’s fees of the policyholder up to a specified amount under certain conditions; providing that an insurer is not liable for attorney’s fees or for certain damages under certain conditions; providing for judicial review; amending s. 877.02, F.S.; prohibiting certain solicitations by contractors and other persons providing sinkhole remediation services; providing penalties; providing effective dates.

By the Committee on Health and Human Services Appropriations; and Senator Wilson—

CS for SB 448—A bill to be entitled An act relating to independent living; requiring the Department of Children and Family Services to create a pilot program in Miami-Dade County to provide continued foster care until participants reach the age of 21 years; providing eligibility requirements; requiring that the circuit court select participants; prescribing services that will be continued; requiring periodic administration to participants of an independent living assessment tool; requiring the department to submit a report to the court; requiring the selection of a cohort group for the purpose of comparing results; requiring reports to the Legislature; providing for expiration of the program; providing an appropriation; providing an effective date.

By the Committees on Community Affairs; Domestic Security; and Senators Geller, Atwater, Diaz de la Portilla, Campbell, Bullard, Klein and Wilson—

CS for CS for SB's 528, 530 and 558—A bill to be entitled An act relating to emergency management; creating s. 212.099, F.S.; providing a sales tax credit for equipment and installation costs to retail dealers of motor fuel participating in the Florida Disaster Motor Fuel Supplier Program; creating s. 526.143, F.S.; requiring motor fuel terminal facilities, wholesalers, new or substantially renovated motor fuel retail outlets, and other motor fuel retail outlets meeting specified criteria for size and location to be capable of operating with alternate generated power; providing requirements for the installation of such equipment; requiring that such businesses maintain documentation of compliance; providing exemptions; creating the Florida Disaster Motor Fuel Supplier Program within the Department of Community Affairs; providing for motor fuel retail outlets to participate in a network of emergency responders; prescribing duties of county emergency management agencies and the Division of Emergency Management; prescribing requirements to participate in the program; providing for security at participating outlets; exempting participating outlets from curfew requirements; providing a state tax credit for equipment and installation costs to motor fuel retail outlets participating in the program; preempting regulation of alternate power sources at motor fuel terminal facilities, motor fuel wholesalers, and motor fuel retail sales outlets to the state; requiring the Division of Emergency Management to complete an inventory of generators owned by the state and local governments; authorizing the division to maintain a list of private entities offering generators for sale or lease and make that list available to the public; requiring that the Energy Office of the Department of Environmental Protection review the progress in postdisaster fuel supply distribution and provide a report to the Legislature; providing for severability; providing an effective date.

By the Committees on Justice Appropriations; Governmental Oversight and Productivity; Judiciary; Criminal Justice; and Senators Fasano and Crist—

CS for CS for CS for CS for SB 544—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 790.065, F.S.; requiring the department to review any records available in addition to criminal history records to evaluate a potential buyer or transferee of a firearm, including an adjudication of mental defectiveness or a commitment to a mental institution as criteria that prohibit a person from purchasing a firearm; providing definitions; requiring the department to maintain an automated database of persons who are prohibited from purchasing a firearm; requiring each clerk of court to submit certain court records to the department within a certain period; requiring the department to delete certain records from the automated database upon the request of an individual meeting specified conditions; authorizing the department to disclose collected data to other federal or state agencies with regard to the sale or transfer of a firearm; authorizing the department to disclose certain information to the Department of Agriculture and Consumer Services for determining the eligibility of an applicant for a concealed weapons or concealed firearms license; requiring the clerk of court or mental hospital to provide additional information upon request following an appeal of an unapproved sale or transfer of a firearm; amending s. 914.25, F.S.; providing for recertification for protective services for an additional period, with reimbursement for expenses from the Victim and Witness Protection Review Committee; providing for unlimited protective services for a victim or witness without reimbursement; amending s. 932.7055, F.S.; deleting a requirement that every law enforcement agency submit semiannual reports to the department regarding seized or forfeited property; deleting a requirement that the department submit an annual report to the criminal justice committees of the Legislature; amending s. 937.021, F.S.; providing immunity to the department, other law enforcement agencies, media representatives, and dealers of communications services from civil liability for complying in good faith with a request to record or report information of an Amber Alert or Missing Child Alert; providing that a technical or clerical error or incorrect or incomplete information does not overcome the presumption of good faith in reporting information about an Amber Alert or Missing Child Alert; providing that it is a discretionary decision of a law enforcement agency or its employees to report, record, or display Amber Alert or Missing Child Alert information; amending s. 938.07, F.S.; requiring that a portion of certain court costs imposed for a conviction of driving or boating under the influence be

deposited into the department's Operating Trust Fund instead of the Criminal Justice Standards and Training Trust Fund; amending s. 938.27, F.S.; requiring that investigative costs recovered on behalf of the department be deposited into the Forfeiture and Investigative Trust Fund; amending s. 943.05, F.S.; authorizing the department to retain fingerprints in certain circumstances and use retained fingerprints for certain purposes; amending s. 943.052, F.S.; requiring that disposition reports for dispositions relating to minor offenders are mandatory after a specified date; amending s. 68.07, F.S.; requiring a set of fingerprints as part of a name-change petition; amending s. 943.053, F.S.; requiring the department to make certain information available to judges; limiting the use of information; authorizing a criminal justice agency to obtain a criminal history background check of a noncertified agency employee by submitting fingerprints to the department; requiring that a criminal history check be provided by the department in certain circumstances; amending s. 943.0585, F.S.; prohibiting a court from expunging a criminal history record containing certain sexual offenses or certain offenses that require registration as a sexual offender; requiring a valid certificate of eligibility for expunction in a petition to expunge a criminal history record; specifying the time during which a certificate of eligibility for expunction is valid; requiring that a trial must not have occurred in order for a person to obtain a statement from the state attorney authorizing the expunction of a criminal record; authorizing a person who has secured a prior sealing or expunction of a criminal history record to seek a certificate of eligibility for expunction if the criminal history record was previously sealed for a specified time and is otherwise eligible for expunction; providing that a person who is seeking authorization for employment or access to a seaport may not deny or fail to acknowledge an arrest covered by an expunged record; providing that the department may acknowledge an expunged criminal history record under certain circumstances; amending s. 943.059, F.S.; enumerating certain sexual offenses and offenses that require registration as a sexual offender which may not be sealed; requiring a valid certificate of eligibility for sealing in a petition to seal a criminal history record; specifying the period during which a certificate of eligibility for sealing is valid; providing that information in a sealed criminal record is available to a criminal justice agency to conduct a criminal history background check for approval of a firearms purchase or transfer; prohibiting a person from denying arrests covered by his or her sealed criminal record when attempting to purchase a firearm; providing that a person who is seeking authorization for employment or access to a seaport may not deny or fail to acknowledge an arrest covered by a sealed record; providing that the department may acknowledge a sealed criminal history record under certain circumstances; amending s. 943.13, F.S.; requiring the department to enter the fingerprints of law enforcement or correctional officers into a statewide automated fingerprint identification system; requiring the department to search each arrest fingerprint card received against fingerprints retained in the statewide automated fingerprint identification system; providing for refingerprinting by a certain date; amending ss. 943.1715 and 943.1716, F.S.; deleting the minimum number of hours required for basic skills training and continued employment training relating to diverse populations for law enforcement officers; repealing s. 943.2569, F.S., relating to an annual financial audit of criminal justice selection centers; amending s. 943.257, F.S.; authorizing the Criminal Justice Standards and Training Commission and the advisory board of a criminal justice selection center to inspect and copy any documents from a center in order to conduct oversight responsibilities, including documents pertaining to any internal or independent audits; amending s. 943.401, F.S.; requiring the department to investigate all public assistance that is provided by the state; requiring public assistance recipients to consent in writing to an investigation into their employment and financial histories by the Agency for Workforce Innovation; requiring the department to report the results of the investigations to the Agency for Workforce Innovation; authorizing the department to purchase goodwill and promotional materials; limiting the annual amount of such expenditures; prohibiting the unauthorized use of the department's emblems and names; providing a penalty; providing effective dates.

By the Committee on Ethics and Elections; and Senators Posey, Rich, Wilson, Margolis and Aronberg—

CS for SB's 716 and 2660—A bill to be entitled An act relating to campaign finance; amending s. 106.011, F.S.; redefining the terms "political committee," "contribution," "expenditure," "communications media," and "electioneering communication"; defining the term "electioneering communications organization"; amending s. 106.03, F.S.; re-

vising the registration requirements for political committees and electioneering communications organizations; creating s. 106.0703, F.S.; establishing campaign finance reporting requirements for electioneering communications organizations; amending s. 106.0705, F.S.; incorporating the new campaign finance reporting requirements for electioneering communications organizations into the Department of State's electronic campaign finance reporting system; amending s. 106.08, F.S.; prohibiting the use of certain contributions received by an electioneering communications organization proximate to an election; establishing conditions for the receipt of certain contributions by electioneering communications organizations; prohibiting certain state officeholders, state legislators, and candidates from soliciting or accepting contributions on behalf of certain organizations; establishing exemptions; reenacting ss. 106.07, 106.08(8), and 106.19, F.S., relating to reports, certification and filing, and penalty provisions, to incorporate the amendments made by this act to ss. 106.03 and 106.08, F.S., in references thereto; providing effective dates.

By the Committees on Ways and Means; Environmental Preservation; Communications and Public Utilities; and Senators Constantine, Aronberg, Dockery, Atwater, Baker, Diaz de la Portilla, Bennett, Klein, Campbell, Bullard and Wilson—

CS for CS for CS for SB 888—A bill to be entitled An act relating to energy; creating the Florida Energy Commission, which is located within the Office of Legislative Services for administrative purposes; providing for the membership of the commission; providing for appointment, terms of office, and qualifications of members; providing for voting members to be reimbursed for per diem and travel expenses; providing for meetings of the commission; authorizing the commission to employ staff; requiring that the commission develop policy recommendations concerning specified issues which are based on specified guidelines; requiring an annual report to the Governor, Cabinet, and Legislature; requiring a report to the Governor, the Cabinet, and the Legislature regarding the reduction of greenhouse gasses in the state; transferring all powers, functions, records, personnel, property, and unexpended balances of appropriations of the state energy program within the Department of Environmental Protection to the Florida Energy Commission; requiring a study and a report to the Governor and Legislature concerning the electric transmission grid; creating s. 377.801, F.S.; creating the "Florida Renewable Energy Technologies and Energy Efficiency Act"; creating s. 377.802, F.S.; stating the purpose of the act; creating s. 377.803, F.S.; providing definitions; creating s. 377.804, F.S.; creating the Renewable Energy Technologies Grants Program; providing program requirements and procedures, including matching funds; creating s. 377.805, F.S.; creating the Energy Efficient Appliance Rebate Program; providing program requirements, procedures, and limitations; creating s. 377.8055, F.S.; providing a sales tax holiday for energy efficient products; providing for rules; creating s. 377.806, F.S.; creating the Solar Energy System Incentives Program; providing definitions; creating the solar photovoltaic incentive program; providing eligibility requirements; providing rebate amounts; creating the solar thermal incentive program; providing for eligibility; providing rebate amounts; providing rulemaking authority to the Public Service Commission; requiring the Florida Solar Energy Center to certify the performance of solar equipment sold and installed in the state; amending s. 212.08, F.S.; providing definitions for the terms "biodiesel" and "ethanol"; providing tax exemptions for the sale or use of certain energy efficient products; providing eligibility requirements and tax credit limits; directing the department to adopt rules; directing the department to determine and publish certain information relating to such exemptions; amending s. 213.053, F.S.; authorizing the Department of Revenue to share certain information with the Department of Environmental Protection for specified purposes; amending s. 220.02, F.S.; providing the order of application of the renewable energy technologies investment tax credit; creating s. 220.192, F.S.; establishing a corporate tax credit for certain costs related to renewable energy technologies; providing eligibility requirements and credit limits; providing certain authority to the Department of Environmental Protection and the Department of Revenue; directing the Department of Environmental Protection to determine and publish certain information; amending s. 220.13, F.S.; providing an addition to the definition of "adjusted federal income"; amending s. 186.801, F.S.; revising the provisions of electric utility 10-year site plans to include the effect on fuel diversity; amending s. 366.04, F.S.; revising the safety standards for public utilities; amending s. 366.05, F.S.; authorizing the Public Service Commission to adopt certain construction standards and

make certain determinations; amending s. 403.503, F.S.; revising and providing definitions applicable to the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; providing the Department of Environmental Protection with additional powers and duties relating to the Florida Electrical Power Plant Siting Act; amending s. 403.5055, F.S.; revising provisions for certain permits associated with applications for electrical power plant certification; amending s. 403.506, F.S.; revising provisions relating to applicability and certification of certain power plants; amending s. 403.5064, F.S.; revising provisions for distribution of applications and schedules relating to certification; amending s. 403.5065, F.S.; revising provisions relating to the appointment of administrative law judges; amending s. 403.5066, F.S.; revising provisions relating to the determination of completeness for certain applications; creating s. 403.50663, F.S.; authorizing certain local governments and regional planning councils to hold an informational public meeting; providing requirements and procedures therefor; creating s. 403.50665, F.S.; requiring local governments to file certain land use determinations; providing requirements and procedures therefor; repealing s. 403.5067, F.S.; relating to the determination of sufficiency for certain applications; amending s. 403.507, F.S.; revising required statement provisions for affected agencies; amending s. 403.508, F.S.; revising provisions related to land use and certification proceedings; requiring certain notice; amending s. 403.509, F.S.; revising provisions related to the final disposition of certain applications; providing requirements and provisions with respect thereto; amending s. 403.511, F.S.; revising provisions related to the effect of certification for the construction and operation of proposed power plants; providing that issuance of certification meets certain consistency requirements; creating s. 403.5112, F.S.; requiring filing of notice for certified corridor routes; providing requirements and procedures with respect thereto; creating s. 403.5113, F.S.; authorizing postcertification amendments for power plant site certification applications; providing requirements and procedures with respect thereto; amending s. 403.5115, F.S.; requiring certain public notice for activities related to power plant site application, certification, and land use determination; providing requirements and procedures with respect thereto; directing the Department of Environmental Protection to maintain certain lists and provide copies to of certain publications; amending s. 403.513, F.S.; revising provisions for judicial review of appeals related to power plant site certification; amending s. 403.516, F.S.; revising provisions relating to modification of certification for power plant sites; amending s. 403.517, F.S.; revising the provisions relating to supplemental applications for certain power plant sites; amending s. 403.5175, F.S.; revising provisions relating to existing power plant site certification; revising the procedure for reviewing and processing applications; requiring additional information to be included in certain applications; amending s. 403.518, F.S.; revising the allocation of proceeds from certain fees collected; providing for reimbursement of certain expenses; directing the Department of Environmental Protection to establish rules for determination of certain fees; eliminating certain operational license fees; providing that applications for power plant certification be processed under laws applicable at the time the application is filed; providing exceptions; amending s. 403.519, F.S.; directing the Public Service Commission to consider fuel diversity and reliability in certain determinations; providing for determination of need for nuclear power plants; providing an exemption from purchased power supply bid rule; creating s. 366.93, F.S.; providing definitions; requiring the Public Service Commission to implement rules related to nuclear power plant cost recovery; requiring a report; amending s. 403.52, F.S.; changing the short title to the "Florida Electric Transmission Line Siting Act"; amending s. 403.521, F.S.; revising legislative intent; amending s. 403.522, F.S.; revising definitions; defining the terms "licensee" and "maintenance and access roads"; amending s. 403.523, F.S.; revising powers and duties of the Department of Environmental Protection; requiring the department to collect and process fees, to prepare a project analysis, to act as clerk for the siting board, and to administer and manage the terms and conditions of the certification order and supporting documents and records; amending s. 403.524, F.S.; revising provisions for applicability, certification, and exemptions under the act; revising provisions for notice by an electric utility of its intent to construct an exempt transmission line; amending s. 403.525, F.S.; providing for powers and duties of the administrative law judge designated by the Division of Administrative Hearings to conduct the required hearings; amending s. 403.5251, F.S.; revising application procedures and schedules; providing for the formal date of filing an application for certification and commencement of the certification review process; requiring the department to prepare a proposed schedule of dates for determination of completeness and other significant dates to be followed during the certification process; providing for the formal date of application distribution; requiring the applicant to

provide notice of filing the application; amending s. 403.5252, F.S.; revising timeframes and procedures for determination of completeness of the application; requiring the department to consult with affected agencies; revising requirements for the department to file a statement of its determination of completeness with the Division of Administrative Hearings, the applicant, and all parties within a certain time after distribution of the application; revising requirements for the applicant to file a statement with the department, the division, and all parties, if the department determines the application is not complete; providing for the statement to notify the department whether the information will be provided; revising timeframes and procedures for contests of the determination by the department; providing for parties to a hearing on the issue of completeness; amending s. 403.526, F.S.; revising criteria and procedures for preliminary statements of issues, reports, and studies; revising timeframes; requiring that the preliminary statement of issues from each affected agency be submitted to the department and the applicant; revising criteria for the Department of Community Affairs' report; requiring the Department of Transportation, the Public Service Commission, and any other affected agency to prepare a project report; revising required content of the report; providing for notice of any nonprocedural requirements not listed in the application; providing for failure to provide such notification; providing for a recommendation for approval or denial of the application; providing that receipt of an affirmative determination of need is a condition precedent to further processing of the application; requiring that the department prepare a project analysis to be filed with the administrative law judge and served on all parties within a certain time; amending s. 403.527, F.S.; revising procedures and timeframes for the certification hearing conducted by the administrative law judge; revising provisions for notices and publication of notices, public hearings held by local governments, testimony at the public-hearing portion of the certification hearing, the order of presentations at the hearing, and consideration of certain communications by the administrative law judge; requiring the applicant to pay certain expenses and costs; requiring the administrative law judge to issue a recommended order disposing of the application; requiring that certain notices be made in accordance with specified requirements and within a certain time; requiring the Department of Transportation to be a party to the proceedings; providing for the administrative law judge to cancel the certification hearing and relinquish jurisdiction to the Department of Environmental Protection upon request by the applicant or the department; requiring the department and the applicant to publish notice of such cancellation; providing for parties to submit proposed recommended orders to the department when the certification hearing has been canceled; providing that the department prepare a recommended order for final action by the sitting board when the hearing has been canceled; amending s. 403.5271, F.S.; revising procedures and timeframes for consideration of proposed alternate corridors; revising notice requirements; providing for notice of the filing of the alternate corridor and revised time schedules; providing for notice to agencies newly affected by the proposed alternate corridor; requiring the person proposing the alternate corridor to provide all data to the agencies within a certain time; providing for a determination by the department that the data is not complete; providing for withdrawal of the proposed alternate corridor upon such determination; requiring that agencies file reports with the applicant and the department which address the proposed alternate corridor; requiring that the department file with the administrative law judge, the applicant, and all parties a project analysis of the proposed alternate corridor; providing that the party proposing an alternate corridor has the burden of proof concerning the certifiability of the alternate corridor; amending s. 403.5272, F.S.; revising procedures for informational public meetings; providing for informational public meetings held by regional planning councils; revising timeframes; amending s. 403.5275, F.S.; revising provisions for amendment to the application prior to certification; amending s. 403.528, F.S.; providing that a comprehensive application encompassing more than one proposed transmission line may be good cause for altering established time limits; amending s. 403.529, F.S.; revising provisions for final disposition of the application by the sitting board; providing for the administrative law judge's or department's recommended order; amending s. 403.531, F.S.; revising provisions for conditions of certification; amending s. 403.5312, F.S.; requiring the applicant to file notice of a certified corridor route with the department; amending s. 403.5315, F.S.; revising the circumstances under which a certification may be modified after the certification has been issued; providing for procedures if objections are raised to the proposed modification; creating s. 403.5317, F.S.; providing procedures for changes proposed by the licensee after certification; requiring the department to determine within a certain time if the proposed change requires modification of the conditions of certification; requiring notice to the licensee, all agencies, and all parties of changes

that are approved as not requiring modification of the conditions of certification; creating s. 403.5363, F.S.; requiring publication of certain notices by the applicant, the proponent of an alternate corridor, and the department; requiring the department to adopt rules specifying the content of such notices; amending s. 403.5365, F.S.; revising application fees and the distribution of fees collected; revising procedures for reimbursement of local governments and regional planning organizations; amending s. 403.537, F.S.; revising the schedule for notice of a public hearing by the Public Service Commission in order to determine the need for a transmission line; providing that the commission is the sole forum in which to determine the need for a transmission line; amending ss. 373.441, 403.061, 403.0876, and 403.809, F.S.; conforming terminology to changes made by the act; repealing ss. 403.5253 and 403.5369, F.S., relating to determination of sufficiency of application or amendment to the application and the application of the act to applications filed before a certain date; creating s. 570.954, F.S.; providing a short title; providing legislative findings; providing purposes; providing definitions; establishing the Farm to Fuel Grants Program; providing criteria for distribution of grants; authorizing appointment of an advisory council; providing purposes; providing membership; authorizing the department to adopt rules; creating s. 220.195, F.S.; providing certain tax credits for certain producers of ethanol and biodiesel; authorizing the Department of Revenue to adopt certain rules relating to the tax credits; providing for future repeal of the tax credits; requiring a report to the Governor and Legislature; providing appropriations; providing an effective date.

By the Committee on Communications and Public Utilities; and Senator Constantine—

CS for SB 890—A bill to be entitled An act relating to energy; creating the Florida Energy Commission, which is located within the Office of Legislative Services for administrative purposes; providing for the membership of the commission; providing for appointment, terms of office, and qualifications of members; providing for voting members to be reimbursed for per diem and travel expenses; providing for meetings of the commission; authorizing the commission to employ staff; requiring that the commission develop policy recommendations concerning specified issues which are based on specified guidelines; requiring an annual report to the Governor, Cabinet, and Legislature; requiring a report to the Governor, the Cabinet, and the Legislature regarding the reduction of greenhouse gasses in the state; transferring all powers, functions, records, personnel, property, and unexpended balances of appropriations of the state energy program within the Department of Environmental Protection to the Florida Energy Commission; providing an effective date.

By the Committee on Communications and Public Utilities; and Senator Constantine—

CS for SB 900—A bill to be entitled An act relating to cable services and video programming; creating definitions relating to cable services and video programming; requiring that each county and municipal franchise authority develop standards for providers of cable services and video programming within their political boundaries by a specified date; requiring each county and municipality to adopt an ordinance embracing the standards developed; detailing the issues for which each county and municipality must develop standards; prohibiting the renewal of a franchise agreement expiring before a specified date unless the required ordinance is adopted; providing that a franchise agreement expiring after a specified date may be terminated upon the adoption of the ordinance; repealing s. 166.046, F.S., relating to minimum standards for cable television franchises imposed upon counties and municipalities; providing an effective date.

By the Committees on Justice Appropriations; Judiciary; and Senator Posey—

CS for CS for SB 940—A bill to be entitled An act relating to court costs for drug court programs; creating s. 938.20, F.S.; authorizing counties to provide by ordinance for funding of drug court programs through the assessment of an additional mandatory court cost; providing for the assessment to be imposed against persons who plead guilty or no contest

to, or are convicted of, certain drug-abuse prevention and control provisions or certain local ordinances or uniform traffic control laws involving alcohol or other substance use or abuse; providing for collection and deposit of the assessment; providing for administration of the funds; providing an effective date.

By the Committee on Health and Human Services Appropriations; and Senator Peadar—

CS for SB 1000—A bill to be entitled An act relating to Medicaid; providing for a comprehensive geriatric fall-prevention program; requiring the Agency for Health Care Administration to establish a Medicaid comprehensive geriatric fall-prevention program; directing the agency to develop the program as an expansion of a certain pilot project conducted in Miami-Dade County; requiring the agency to evaluate the program and report to the Legislature; requiring a plan and timetable for statewide implementation contingent on certain findings; specifying a timeframe for implementing a certain form of reimbursement; providing an appropriation; providing an effective date.

By the Committee on Banking and Insurance; and Senator Geller—

CS for SB 1012—A bill to be entitled An act relating to insurance risk apportionment; amending s. 627.351, F.S.; requiring the board of governors of Citizens Property Insurance Corporation to certify deficits resulting from named hurricanes and tropical storms; requiring the Revenue Estimating Conference to determine net increases in tax revenues resulting from such impacts; directing the Chief Financial Officer to transfer moneys from the General Revenue Fund to the corporation, the Florida Hurricane Catastrophe Fund, and the Executive Office of the Governor for certain purposes; providing for the disposition of revenues when the corporation does not sustain a deficit; providing applicability; providing an effective date.

By the Committee on Ways and Means; and Senator Bennett—

CS for SB 1342—A bill to be entitled An act relating to disabled veterans; amending s. 295.16, F.S.; expanding an exemption from certain fees relating to structural improvements to a disabled veteran's residence; providing an effective date.

By the Committees on Health and Human Services Appropriations; Health Care; and Senator Lynn—

CS for CS for SB 1532—A bill to be entitled An act relating to trauma services; amending s. 395.003, F.S.; prohibiting licensing of additional emergency departments located off the premises of licensed hospitals until the Agency for Health Care Administration adopts rules; amending s. 395.1055, F.S.; requiring the agency to adopt rules by a specified date to establish licensure standards for emergency departments located off the premises of a licensed hospital; requiring the rules to address certain topics; amending s. 395.4001, F.S.; providing definitions; repealing s. 395.4035, F.S., to terminate the Trauma Services Trust Fund; amending s. 395.4036, F.S.; revising provisions relating to distribution of funds to trauma centers and use thereof; creating s. 395.41, F.S.; establishing a trauma center startup grant program; providing conditions for the receipt of a startup grant; providing limitations; making the trauma center startup grant program subject to an appropriation in the General Appropriations Act; providing a contingent effective date.

By the Committees on Health and Human Services Appropriations; Children and Families; and Senator Campbell—

CS for CS for SB 1694—A bill to be entitled An act relating to community-based care; establishing a 3-year pilot program in Miami-Dade, Monroe, and Broward Counties; providing for the transfer of certain responsibilities from the Department of Children and Family Services to specified community-based care lead agencies; providing for funding the pilot program from grants and federal funds; requiring that

the department enter into fixed-payment contracts; requiring that annual financial statements regarding the pilot program be provided to the Governor, the department, and the Legislature; requiring that an independent arbitrator resolve certain disputes related to contracts; requiring that contract management and oversight be conducted by third-party entities; providing an exemption from s. 287.057, F.S.; requiring such entities to submit reports to the Governor and the Legislature; requiring that the department, the lead agencies implementing the pilot program, and the Agency for Health Care Administration develop a plan for integrating certain Medicaid mental health services; specifying that the annual evaluation required in s. 409.1671, F.S., include the pilot program; directing the Office of Program Policy Analysis and Government Accountability and the Office of the Auditor General to complete an evaluation of the pilot program; providing an effective date.

By the Committees on Regulated Industries; Community Affairs; and Senator Constantine—

CS for CS for SB 1774—A bill to be entitled An act relating to building codes; authorizing the Florida Building Commission to update and modify the standard for wind design; expressly superseding a provision; amending s. 399.15, F.S.; revising the dates by which the elevators in certain buildings must be keyed to allow regional emergency elevator access; amending s. 553.71, F.S.; deleting the definition of "exposure category C"; amending s. 553.73, F.S.; authorizing the Florida Building Commission to adopt certain limited amendments to the Florida Building Code pursuant to rule adoption procedures for certain purposes after triennial updates; authorizing authorities to enforce such amendments; specifying amendment criteria; amending s. 553.775, F.S.; prohibiting certain procedures from being invoked to interpret or review the Florida Accessibility Code for Building Construction and chapter 11 of the Florida Building Code; amending s. 553.791, F.S.; providing for the use of private providers of building code inspection services under certain circumstances; amending s. 633.0215, F.S.; authorizing the State Fire Marshal to adopt certain limited amendments of the Florida Fire Prevention Code pursuant to rule adoption procedures for certain purposes after triennial updates; authorizing authorities to enforce such amendments; specifying amendment criteria; deleting a provision authorizing approval of certain technical amendments to the Florida Fire Prevention Code, notwithstanding the 3-year update cycle; amending s. 633.021, F.S.; defining the term "fire hydrant" for the purpose of the Florida Fire Prevention Code; amending s. 633.082, F.S.; providing for the inspection of fire hydrants by the State Fire Marshal; requiring that each fire hydrant be opened fully at least once each year to clear foreign materials in the system; providing that a fire hydrant made nonfunctional by the closing of a water supply valve must immediately be tagged with a red tag that is boldly marked "nonfunctional"; repealing s. 633.5391, F.S., relating to backflow prevention assembly inspection; providing an effective date.

By the Committee on Community Affairs—

CS for SB 1858—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; conforming terminology; amending s. 163.3177, F.S.; correcting a cross-reference; amending s. 163.3180, F.S.; correcting cross-references; conforming terminology; amending s. 163.3184, F.S.; correcting a cross-reference; amending s. 163.3247, F.S.; expanding the membership of the Century Commission for a Sustainable Florida; revising the date for completion of appointments to the commission; amending s. 201.15, F.S.; providing an additional sum to the State Transportation Trust Fund for specified purposes; deleting obsolete provisions relating to the High Growth District Capital Outlay Assistance Grant Program; appropriating an additional sum to fund the Classrooms for Kids Program; deleting obsolete provisions relating to certain recurring funding for the Century Commission for a Sustainable Florida; appropriating recurring funding for the Century Commission for a Sustainable Florida; correcting a cross-reference; amending s. 339.2819, F.S.; correcting a cross-reference; amending s. 380.06, F.S.; conforming terminology; amending s. 1013.65, F.S.; increasing the amount appropriated from the Public Education Capital Outlay and Debt Service Trust Fund to fund the Classrooms for Kids Program; amending s. 1013.738, F.S.; revising the prerequisites to the establishment and funding of the High Growth District Capital Outlay Assistance Grant Program; appropriating a sum that was vetoed for the

2005-2006 fiscal year to the State Transportation Trust Fund in the Department of Transportation on a nonrecurring basis for the 2005-2006 fiscal year for the purposes of the Strategic Intermodal System; reducing the amount appropriated in section 27 of chapter 2005-290, Laws of Florida, to the State Transportation Trust Fund in the Department of Transportation for the 2005-2006 fiscal year; appropriating a sum for the High Growth District Capital Outlay Assistance Grant Program, which was vetoed for the 2005-2006 fiscal year, and sum which is in the Public Education Capital Outlay and Debt Service Trust Fund in the Department of Education, for the 2005-2006 fiscal year on a nonrecurring basis to the Classrooms for Kids Program; providing effective dates.

By the Committees on Community Affairs; Agriculture; and Senator Argenziano—

CS for CS for SB 1880—A bill to be entitled An act relating to agricultural economic development; amending s. 70.001, F.S.; providing a deadline for an owner of agricultural land to present a claim prior to filing an action against a governmental entity regarding private property rights; amending s. 163.3162, F.S.; providing for application for an amendment to the local government comprehensive plan by the owner of land that meets certain provisions of the definition of an agricultural enclave; providing requirements relating to such applications; exempting certain amendments from specified rules of the Department of Community Affairs under certain circumstances; amending s. 163.3164, F.S.; defining the term “agricultural enclave” for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; creating s. 259.047, F.S.; providing requirements relating to the purchase of land on which an agricultural lease exists; amending s. 373.0361, F.S.; providing for recognition that alternative water supply development options for agricultural self-suppliers are limited; amending s. 373.2234, F.S.; conforming a cross-reference; amending s. 373.236, F.S.; requiring water management districts to inform landowners of the option to obtain certain consumptive use permits; creating s. 373.407, F.S.; providing for memoranda of agreement regarding qualification for agricultural-related exemptions; providing an effective date.

By the Committee on Environmental Preservation; and Senator Margolis—

CS for SB 1892—A bill to be entitled An act relating to the Florida Recreation Development Assistance Program; amending s. 375.075, F.S.; revising the number of grant applications that a local government is authorized to submit; revising the amount of money in state funds which may be granted for a project application; providing an effective date.

By the Committee on Banking and Insurance; and Senator Aronberg—

CS for SB 1954—A bill to be entitled An act relating to credit counseling services; amending s. 817.801, F.S.; providing a definition; amending s. 817.802, F.S., relating to unlawful fees and costs; limiting application to certain debtors; amending s. 817.804, F.S.; revising annual audit requirements; amending s. 817.805, F.S.; including creditor contributions within an authorized deduction from requirements for disbursement of funds; providing an effective date.

By the Committee on Banking and Insurance; and Senator Garcia—

CS for SB 1980—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; redefining the term “losses”; revising certain reimbursement contract criteria; revising certain reimbursement premium requirements; deleting a requirement that bonds be validated; revising certain revenue bond emergency assessment requirements; specifying premiums that are subject to assessment; revising the date on which the exemption of medical malpractice premiums from emergency assessments is repealed; creating s. 215.558, F.S.; creating the Home Retrofit Hardening Program; providing eligibility criteria and guidelines for awarding funds under the program; providing limits on grant amounts and on administrative expenses; creating s. 215.5586,

F.S.; providing a purpose; requiring the Department of Community Affairs to establish a wind certification and hurricane mitigation inspection program; specifying inspection requirements; providing qualification requirements for inspection providers; requiring the department to adopt rules; amending s. 193.155, F.S.; providing that certain changes made to homestead property for hurricane damage mitigation do not increase the assessed value of the property; creating s. 252.63, F.S.; providing purpose and intent; providing powers of the Commissioner of Insurance Regulation during a state of emergency; authorizing the commissioner to issue certain orders in a state of emergency; providing for effect and duration of such orders; providing for legislative termination of such orders; requiring the commissioner to publish such orders and an explanatory statement; prescribing additional duties of the commissioner with respect to mitigation of consequences of emergencies; amending s. 626.918, F.S.; authorizing certain letters of credit to fund a surplus lines insurer’s required policyholder protection trust fund; defining the term “qualified United States financial institution; amending s. 627.062, F.S.; requiring the chief executive officer and the chief financial officer of each property insurer, or its certified public accountant acting on its behalf, to sign a statement of certification, sworn under oath, to accompany the rate filing; revising factors to be used in reviewing rate filings; providing that, in considering a rate filing, the burden is on the Office of Insurance Regulation to establish that costs of reinsurance are excessive; providing that the burden is on the Office of Insurance Regulation to establish that certain rates are excessive; amending s. 627.06281, F.S.; requiring the public hurricane loss-projection model to be submitted for review by the Florida Commission on Hurricane Loss Projection Methodology; allowing the Office of Insurance Regulation to use the public model until the commission determines that the public model is not accurate or reliable; amending s. 627.351, F.S.; providing that certain responsibilities of the Office of Insurance Regulation with respect to the plan of operation of Citizens Property Insurance Corporation be assumed by the Financial Services Commission; defining the terms “homestead property” and “nonhomestead property” for use with respect to Citizens Property Insurance Corporation; limiting eligibility for personal lines coverage by the corporation; directing the corporation board to reduce or, with approval by necessary parties, restructure existing debt; requiring a report with respect thereto; providing for a reduction in aggregate amount of a regular assessment in certain circumstances; requiring the executive director of the corporation to be confirmed by the Senate; deleting authority of the Chief Financial Officer to review corporate employees; prescribing a 10-day waiting period for applications for coverage for a new policy; authorizing exceptions; redesignating the market equalization surcharge as a Citizens policyholder surcharge and providing for its calculation; prescribing an additional surcharge on deficit assessments for certain nonhomestead property; providing for optional payment plans; requiring insurers to provide claims-adjusting services for certain wind coverage in certain circumstances; requiring prospective senior management employees of the corporation to successfully pass a background check; requiring employees of the corporation to sign annually a statement that they have no conflict of interest; providing that senior managers and members of the board of governors are subject to the code of ethics and must file financial disclosure; prohibiting employees and members of the board of governors from accepting gifts or expenditures from a persons or entity, or employee thereof, which has or is under consideration for a contract with the corporation; providing penalties; providing a limitation on senior managers’ representation of persons before the corporation after retirement or termination of employment and on employment with an insurer that has received a take-out bonus; prescribing guidelines for purchases of goods and services; providing guidelines on use of outside counsel; prohibiting the corporation from retaining a lobbyist; authorizing full-time employees to register and engage in lobbying; creating the Office of Internal Auditor and prescribing its duties; providing record-retention requirements; requiring establishment of a unit or division to investigate claims involving possible fraud against the corporation and another to receive and respond to consumer complaints; requiring a periodic comprehensive market conduct examination of the corporation; requiring periodic operational audits of the corporation by the Auditor General; prescribing elements to be included in such audits; providing a rate surcharge for certain nonhomestead property and property valued at more than a certain amount; providing that rates for the corporation are not subject to the requirements for being noncompetitive if the Office of Insurance Regulation makes a certain determination; deleting provisions relating to appointment of a rate methodology panel; providing for use of the public hurricane loss-projection model in ratemaking; prescribing requirements for paying takeout bonuses or payments to insurers; requiring records of takeout bonuses or other payments for certain

purposes; postponing the dates by which the boundaries of high-risk areas must be reduced; requiring a study of the viability of authorized insurers issuing and servicing, for a fee, certain high-risk insurance policies; requiring a report to legislative leaders; providing applicability of specified provisions relating to assessments and surcharges; amending s. 627.3511, F.S.; extending the period for which an insurer that assumes Citizens Property Insurance Corporation's obligations under a policy must renew the replacement policy; revising circumstances under which replacement is not required; amending s. 627.3517, F.S.; providing that an insurance risk apportionment plan policyholder's right to retain his or her current agent does not apply during the first 10 days after a new application for coverage has been submitted to Citizens Property Insurance Corporation; creating s. 627.3519, F.S.; requiring the Financial Services Commission to report annually to the Legislature on probable maximum losses, financing options, and assessment potentials of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4035, F.S.; providing for a waiver of a written authorization requirement to pay claims by debit card or other electronic transfer; creating s. 627.6121, F.S.; prescribing circumstances under which an insurer must pay benefits to a primary policyholder of dual interest property; requiring mortgageholders and lienholders be given notice of such payment; amending s. 627.7011, F.S.; limiting certain law and ordinance coverage; providing that the section does not prohibit an insurer from limiting its liability concerning certain replacement costs; creating s. 627.7019, F.S.; requiring the Financial Services Commission to adopt rules imposing standardized requirements applicable to insurers after certain natural events; providing criteria; providing requirements of the Office of Insurance Regulation; amending s. 627.706, F.S.; allowing for a deductible amount applicable to sinkhole losses in a policy for residential property insurance; defining the term "professional engineer"; amending s. 627.707, F.S.; revising references to certain engineers; authorizing insurers to make direct payment for certain repairs; excluding insurers from liability for repairs under certain circumstances; amending s. 627.7072, F.S.; revising references to certain engineers; amending s. 627.7073, F.S.; revising requirements for sinkhole reports by professional engineers and professional geologists; providing for the recording of sinkhole reports by the clerk of court rather than the property appraiser; creating s. 627.7074, F.S.; prescribing an alternative method for resolving disputed sinkhole insurance claims; providing definitions; prescribing procedures for invoking the alternative method; providing that a recommendation by a neutral evaluator is not binding on any party; providing for payments of costs; requiring the insurer to pay attorney's fees of the policyholder up to a specified amount under certain conditions; providing that an insurer is not liable for attorney's fees or for certain damages under certain conditions; providing for judicial review; amending s. 627.727, F.S.; conforming a cross-reference; amending s. 631.181, F.S.; providing an exception to certain requirements for a signed statement for certain claims related to the insolvency of an insurer; providing requirements; amending s. 631.54, F.S.; redefining the term "covered claim" and defining the term "homeowner's insurance" for purposes of the Florida Insurance Guaranty Association; amending s. 631.55, F.S.; conforming a cross-reference; amending s. 631.57, F.S.; revising requirements and limitations for obligations of the Florida Insurance Guaranty Association for covered claims; authorizing the association to contract with counties, municipalities, and legal entities to issue revenue bonds for certain purposes; authorizing the Office of Insurance Regulation to levy assessments and emergency assessments on insurers under certain circumstances for certain bond repayment purposes; providing requirements for and limitations on such assessments; providing for payment, collection, and distribution of such assessments; requiring insurers to include an analysis of revenues from such assessments in a required report; providing rate filing requirements for insurers relating to such assessments; providing for continuing annual assessments under certain circumstances; specifying emergency assessments as not premium and not subject to certain taxes, fees, or commissions; specifying insurer liability for emergency assessments; providing an exception; creating s. 631.695, F.S.; providing legislative findings and purposes; providing for issuance of revenue bonds through counties and municipalities to fund assistance programs for paying covered claims for hurricane damage; providing procedures, requirements, and limitations for counties, municipalities, and the Florida Insurance Guaranty Association, Inc., relating to issuance and validation of such bonds; prohibiting pledging the funds, credit, property, and taxing power of the state, counties, and municipalities for payment of bonds; specifying authorized uses of bond proceeds; limiting the term of bonds; specifying a state covenant to protect bondholders from adverse actions relating to such bonds; specifying exemptions for bonds, notes, and other obligations of counties and municipalities from

certain taxes or assessments on property and revenues; authorizing counties and municipalities to create a legal entity to exercise certain powers; requiring the association to issue an annual report on the status of certain uses of bond proceeds; providing report requirements; requiring the association to provide a copy of the report to the Legislature and Chief Financial Officer; prohibiting repeal of certain provisions relating to certain bonds under certain circumstances; amending s. 877.02, F.S.; prohibiting certain solicitations by contractors and other persons providing sinkhole remediation services; providing penalties; providing appropriations; providing effective dates.

By the Committees on Ways and Means; Banking and Insurance; and Senator Garcia—

CS for CS for SB 1980—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; redefining the term "losses"; revising certain reimbursement contract criteria; revising certain reimbursement premium requirements; deleting a requirement that bonds be validated; revising certain revenue bond emergency assessment requirements; specifying premiums that are subject to assessment; revising the date on which the exemption of medical malpractice premiums from emergency assessments is repealed; creating s. 215.558, F.S.; creating the Home Retrofit Hardening Program; providing eligibility criteria and guidelines for awarding funds under the program; providing limits on grant amounts and on administrative expenses; creating s. 215.5586, F.S.; providing a purpose; requiring the Department of Community Affairs to establish a wind certification and hurricane mitigation inspection program; specifying inspection requirements; providing qualification requirements for inspection providers; requiring the department to adopt rules; amending s. 193.155, F.S.; providing that certain changes made to homestead property for hurricane damage mitigation do not increase the assessed value of the property; creating s. 252.63, F.S.; providing purpose and intent; providing powers of the Commissioner of Insurance Regulation during a state of emergency; authorizing the commissioner to issue certain orders in a state of emergency; providing for effect and duration of such orders; providing for legislative termination of such orders; requiring the commissioner to publish such orders and an explanatory statement; prescribing additional duties of the commissioner with respect to mitigation of consequences of emergencies; amending s. 626.918, F.S.; authorizing certain letters of credit to fund a surplus lines insurer's required policyholder protection trust fund; defining the term "qualified United States financial institution"; amending s. 627.062, F.S.; requiring the chief executive officer and the chief financial officer of each property insurer, or its certified public accountant acting on its behalf, to sign a statement of certification, sworn under oath, to accompany the rate filing; revising factors to be used in reviewing rate filings; providing that, in considering a rate filing, the burden is on the Office of Insurance Regulation to establish that costs of reinsurance are excessive; providing that the burden is on the Office of Insurance Regulation to establish that certain rates are excessive; amending s. 627.06281, F.S.; requiring the public hurricane loss-projection model to be submitted for review by the Florida Commission on Hurricane Loss Projection Methodology; allowing the Office of Insurance Regulation to use the public model until the commission determines that the public model is not accurate or reliable; amending s. 627.351, F.S.; providing that certain responsibilities of the Office of Insurance Regulation with respect to the plan of operation of Citizens Property Insurance Corporation be assumed by the Financial Services Commission; defining the terms "homestead property" and "nonhomestead property" for use with respect to Citizens Property Insurance Corporation; limiting eligibility for personal lines coverage by the corporation; directing the corporation board to reduce or, with approval by necessary parties, restructure existing debt; requiring a report with respect thereto; providing for a reduction in aggregate amount of a regular assessment in certain circumstances; requiring the executive director of the corporation to be confirmed by the Senate; deleting authority of the Chief Financial Officer to review corporate employees; prescribing a 10-day waiting period for applications for coverage for a new policy; authorizing exceptions; redesignating the market equalization surcharge as a Citizens policyholder surcharge and providing for its calculation; prescribing an additional surcharge on deficit assessments for certain nonhomestead property; providing for optional payment plans; requiring insurers to provide claims-adjusting services for certain wind coverage in certain circumstances; requiring prospective senior management employees of the corporation to successfully pass a background check; requiring employees of the corporation to sign annually a statement that they have no conflict

of interest; providing that senior managers and members of the board of governors are subject to the code of ethics and must file financial disclosure; prohibiting employees and members of the board of governors from accepting gifts or expenditures from a persons or entity, or employee thereof, which has or is under consideration for a contract with the corporation; providing penalties; providing a limitation on senior managers' representation of persons before the corporation after retirement or termination of employment and on employment with an insurer that has received a take-out bonus; prescribing guidelines for purchases of goods and services; providing guidelines on use of outside counsel; prohibiting the corporation from retaining a lobbyist; authorizing full-time employees to register and engage in lobbying; creating the Office of Internal Auditor and prescribing its duties; providing record-retention requirements; requiring establishment of a unit or division to investigate claims involving possible fraud against the corporation and another to receive and respond to consumer complaints; requiring a periodic comprehensive market conduct examination of the corporation; requiring periodic operational audits of the corporation by the Auditor General; prescribing elements to be included in such audits; providing a rate surcharge for certain nonhomestead property and property valued at more than a certain amount; providing that rates for the corporation are not subject to the requirements for being noncompetitive if the Office of Insurance Regulation makes a certain determination; deleting provisions relating to appointment of a rate methodology panel; providing for use of the public hurricane loss-projection model in ratemaking; prescribing requirements for paying takeout bonuses or payments to insurers; requiring records of takeout bonuses or other payments for certain purposes; clarifying that debt obligations of the corporation are not subject to taxation; prohibiting the corporation and other persons from making certain filings under, or becoming a debtor under, the federal Bankruptcy Code; postponing the dates by which the boundaries of high-risk areas must be reduced; requiring a study of the viability of authorized insurers issuing and servicing, for a fee, certain high-risk insurance policies; requiring a report to legislative leaders; providing applicability of specified provisions relating to assessments and surcharges; amending s. 627.3511, F.S.; extending the period for which an insurer that assumes Citizens Property Insurance Corporation's obligations under a policy must renew the replacement policy; revising circumstances under which replacement is not required; amending s. 627.3517, F.S.; providing that an insurance risk apportionment plan policyholder's right to retain his or her current agent does not apply during the first 10 days after a new application for coverage has been submitted to Citizens Property Insurance Corporation; creating s. 627.3519, F.S.; requiring the Financial Services Commission to report annually to the Legislature on probable maximum losses, financing options, and assessment potentials of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4035, F.S.; providing for a waiver of a written authorization requirement to pay claims by debit card or other electronic transfer; creating s. 627.6121, F.S.; prescribing circumstances under which an insurer must pay benefits to a primary policyholder of dual interest property; requiring mortgageholders and lienholders be given notice of such payment; amending s. 627.7011, F.S.; limiting certain law and ordinance coverage; providing that the section does not prohibit an insurer from limiting its liability concerning certain replacement costs; creating s. 627.7019, F.S.; requiring the Financial Services Commission to adopt rules imposing standardized requirements applicable to insurers after certain natural events; providing criteria; providing requirements of the Office of Insurance Regulation; amending s. 627.706, F.S.; allowing for a deductible amount applicable to sinkhole losses in a policy for residential property insurance; defining the term "professional engineer"; amending s. 627.707, F.S.; revising references to certain engineers; authorizing insurers to make direct payment for certain repairs; excluding insurers from liability for repairs under certain circumstances; amending s. 627.7072, F.S.; revising references to certain engineers; amending s. 627.7073, F.S.; revising requirements for sinkhole reports by professional engineers and professional geologists; providing for the recording of sinkhole reports by the clerk of court rather than the property appraiser; creating s. 627.7074, F.S.; prescribing an alternative method for resolving disputed sinkhole insurance claims; providing definitions; prescribing procedures for invoking the alternative method; providing that a recommendation by a neutral evaluator is not binding on any party; providing for payments of costs; requiring the insurer to pay attorney's fees of the policyholder up to a specified amount under certain conditions; providing that an insurer is not liable for attorney's fees or for certain damages under certain conditions; providing for judicial review; amending s. 627.727, F.S.; conforming a cross-reference; amending s. 631.181, F.S.; providing an exception to certain requirements for a signed statement for certain claims related

to the insolvency of an insurer; providing requirements; amending s. 631.54, F.S.; redefining the term "covered claim" and defining the term "homeowner's insurance" for purposes of the Florida Insurance Guaranty Association; amending s. 631.55, F.S.; conforming a cross-reference; amending s. 631.57, F.S.; revising requirements and limitations for obligations of the Florida Insurance Guaranty Association for covered claims; authorizing the association to contract with counties, municipalities, and legal entities to issue revenue bonds for certain purposes; authorizing the Office of Insurance Regulation to levy assessments and emergency assessments on insurers under certain circumstances for certain bond repayment purposes; providing requirements for and limitations on such assessments; providing for payment, collection, and distribution of such assessments; requiring insurers to include an analysis of revenues from such assessments in a required report; providing rate filing requirements for insurers relating to such assessments; providing for continuing annual assessments under certain circumstances; specifying emergency assessments as not premium and not subject to certain taxes, fees, or commissions; specifying insurer liability for emergency assessments; providing an exception; creating s. 631.695, F.S.; providing legislative findings and purposes; providing for issuance of revenue bonds through counties and municipalities to fund assistance programs for paying covered claims for hurricane damage; providing procedures, requirements, and limitations for counties, municipalities, and the Florida Insurance Guaranty Association, Inc., relating to issuance and validation of such bonds; prohibiting pledging the funds, credit, property, and taxing power of the state, counties, and municipalities for payment of bonds; specifying authorized uses of bond proceeds; limiting the term of bonds; specifying a state covenant to protect bondholders from adverse actions relating to such bonds; specifying exemptions for bonds, notes, and other obligations of counties and municipalities from certain taxes or assessments on property and revenues; authorizing counties and municipalities to create a legal entity to exercise certain powers; requiring the association to issue an annual report on the status of certain uses of bond proceeds; providing report requirements; requiring the association to provide a copy of the report to the Legislature and Chief Financial Officer; prohibiting repeal of certain provisions relating to certain bonds under certain circumstances; amending s. 877.02, F.S.; prohibiting certain solicitations by contractors and other persons providing sinkhole remediation services; providing penalties; providing appropriations; requiring that an appropriation be transferred to Citizens Property Insurance Corporation to reduce the amount of the regular assessment for a specified deficit; requiring the corporation to notify assessable insurers of the amount by which assessments have been reduced; requiring insurers who recoup assessments to notify policyholders of the amount by which the surcharge has been reduced; providing penalties for a violation; defining terms; repealing s. 215.559(3), F.S.; deleting the requirement that the Department of Community Affairs develop a low-interest loan program for retrofitting homes; providing effective dates.

By the Committee on Banking and Insurance—

CS for SB 2118—A bill to be entitled An act relating to the Florida Workers' Compensation Joint Underwriting Association, Inc.; amending s. 627.311, F.S.; providing requirements for the joint underwriting plan of insurers which operates as the association; revising the membership of the board of governors that oversees operation of the joint underwriting plan; providing for continuous review of the plan; requiring that the market-assistance plan be periodically reviewed and updated; providing guidelines for procurement of goods and services, including legal services; prohibiting hiring an outside lobbyist; authorizing the use of surplus funds of former plan C; extending the deadline to access contingency reserves; authorizing the board of the association to request a transfer of funds from the Workers' Compensation Administration Trust Fund under certain circumstances; providing that the plan is subject to the same requirements for filing and approval of rating plans as workers' compensation insurers; deleting certain provisions limiting the disapproval of rates by the Office of Insurance Regulation; requiring that excess funds received by the plan be returned to the state; providing applicability of specified statutes regulating ethical standards; requiring annual statements by plan employees that they do not have conflicts of interest; prescribing limits on representing persons or entities before the plan by former senior managers or officers of the plan; prohibiting any part of the plan's income from inuring to the benefit of a private individual; prohibiting employees and board members from accepting expenditures from a person or an entity; providing applicability; requiring peri-

odic comprehensive market examinations; prescribing disposition of assets of the plan upon dissolution; amending s. 2 of ch. 2004-266, Laws of Florida; extending the period for maintaining the contingency reserve and the period for projecting current cash needs; requiring the plan to submit a request for an Internal Revenue Service letter concerning the plan's eligibility as a tax-exempt organization; providing an effective date.

By the Committees on Children and Families; Judiciary; and Senator Campbell—

CS for CS for SB 2184—A bill to be entitled An act relating to parental relocation with a child; amending s. 61.13, F.S.; deleting standards for determining whether to allow a primary residential parent to move a child; creating s. 61.13001, F.S.; providing definitions; providing for the relocation of a child by agreement; providing for notification of certain persons of the intent to relocate a child and providing procedures therefor; requiring that certain information be provided on a Notice of Intent to Relocate; providing procedures for objecting to the relocation of a child; providing applicability of public records law; providing for content of an objection to relocation; authorizing the court to grant a temporary order restraining the relocation of a child under certain circumstances; prohibiting certain presumptions and requiring that certain factors be evaluated by the court with regard to relocation of a child; assigning the burden of proof in cases of relocation of a child; authorizing the court to order certain contact with the child by the nonrelocating party; granting priority for certain hearings and trials under s. 61.13001, F.S.; amending s. 28.241, F.S.; providing that the filing of certain notices and orders regarding an uncontested relocation are exempt from filing fees; providing applicability; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Commerce and Consumer Services; and Senators Fasano, King, Sebesta and Haridopolos—

CS for CS for SB 2580—A bill to be entitled An act relating to the state's aerospace industry; redesignating the "Florida Space Authority" as "Space Florida"; providing legislative intent; providing, revising, and repealing definitions; revising and consolidating the roles, purposes, responsibilities, assets, and duties of the Florida Space Authority as those of Space Florida; deleting authority to establish facilities and complementary activities; providing additional powers and duties of Space Florida; prohibiting Space Florida from endorsing political candidates or making campaign contributions; characterizing certain property as Space Florida territory; providing additional powers and responsibilities of Space Florida relating to the state's aerospace industry; deleting authority to exercise eminent domain powers; requiring Space Florida to create a business plan and a marketing campaign; requiring Space Florida to coordinate its activities with federal and state agencies; replacing provisions providing for a board of supervisors with provisions providing for a board of directors of Space Florida; providing for designation and appointment of members; providing for terms, removal of members, and filling of vacancies; providing for board meetings; specifying service without compensation; providing for reimbursement of certain expenses; providing financial disclosure requirements; revising powers and duties of the board; creating ss. 331.3011 and 331.3051, F.S.; amending ss. 331.301, 331.302, 331.303, 331.305, 331.306, 331.308, 331.309, 331.310, 331.3101, 331.311, 331.312, 331.313, 331.316, 331.317, 331.318, 331.319, 331.320, 331.321, 331.322, 331.323, 331.324, 331.325, 331.326, 331.327, 331.328, 331.329, 331.331, 331.333, 331.334, 331.335, 331.336, 331.337, 331.338, 331.339, 331.340, 331.343, 331.345, 331.346, 331.347, 331.348, 331.349, 331.350, 331.351, 331.354, 331.355, 331.360, and 331.369, F.S., to conform; amending ss. 14.2015, 74.011, 196.012, 212.02, 288.063, 288.075, 288.35, and 288.9415, F.S., to conform; amending s. 212.08, F.S.; expanding the exemption from the sales and use tax on certain machinery and equipment; creating s. 1004.86, F.S.; requiring the Department of Education to establish the Florida Center for Mathematics and Science Education Research at a public state university; specifying requirements for the center; repealing s. 331.314, F.S., relating to the exclusive authority of the Florida Space Authority to regulate spaceports; repealing s. 331.315, F.S., relating to maintenance of projects across rights-of-way; repealing s. 331.367, F.S., relating to the Spaceport Management Council; repealing s. 331.368,

F.S., relating to the Florida Space Research Institute; repealing ss. 331.401, 331.403, 331.405, 331.407, 331.409, 331.411, 331.415, 331.417, and 331.419, F.S., relating to the Florida Aerospace Finance Corporation; providing that the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation are dissolved on a specified date; providing that Space Florida assumes the records, property, and unexpended balances of appropriations, allocations, and other funds from the dissolved entities; requiring the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint the board of directors of Space Florida by a specified date; requiring the board of directors of Space Florida to hold its first meeting by a specified date; amending ss. 228.1224, 288.9015, 445.004, and 1001.10, F.S.; requiring the Florida Commission on Tourism, Enterprise Florida, Inc., Workforce Florida, Inc., and the Commissioner of Education to enter into memoranda of agreement with Space Florida; amending s. 334.044, F.S.; prescribing power of the Department of Transportation to enter into agreement with Space Florida; providing appropriations; providing an effective date.

By the Committee on Commerce and Consumer Services; and Senators Atwater, Crist and Lynn—

CS for SB 2668—A bill to be entitled An act relating to capital formation; creating s. 288.996, F.S., the Florida Capital Formation Act; providing definitions; requiring Enterprise Florida, Inc., to organize the Florida Opportunity Fund as a wholly owned private, not-for-profit limited liability company; providing for a board of directors for the company; providing for filling vacancies on the board of directors and for terms of office; specifying duties of the company; requiring the company to select a Florida Opportunity Fund Allocation Manager; providing requirements for investments; requiring the Florida Opportunity Fund to issue an annual report to the Governor and the Legislature; providing for a transfer of nonrecurring funds from the General Revenue Fund to the Economic Development Trust Fund for subsequent investment in the Florida Opportunity Fund; providing for future dissolution of the account; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Architecture and Interior Design		
Appointee:	Dolan, Rossana Ngo, Seminole	10/31/2009
Board of Athletic Training		
Appointee:	Mackie, James H., Jacksonville	10/31/2009
Greater Orlando Aviation Authority		
Appointees:	Bradley, Jacqueline, Windermere	04/16/2010
	Fuqua, Jeffry B., Winter Park	04/16/2010
Florida Black Business Investment Board, Inc.		
Appointee:	Hardiman-Cole, Angela, Tallahassee	06/30/2009
Florida Building Code Administrators and Inspectors Board		
Appointee:	Dudley, Fred R., Havana	10/31/2008
Florida Citrus Commission		
Appointees:	Behr, Robert M., Lakeland	05/31/2009
	Brumback, Wesley W., Oviedo	05/31/2009
	Estes, W. Cody, Sr., Vero Beach	05/31/2009
	Wheeler, David, Lake Placid	05/31/2009
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling		
Appointee:	Day, William L., Tampa	10/31/2009

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Communities Trust Appointee: LaMee, William F., Bradenton	01/31/2009	Appointees: Benton, Renee A., Tampa Gramling, Hugh M., Plant City	03/01/2009 03/01/2009
Construction Industry Licensing Board Appointees: Cook, Joseph E., Pace Del Vecchio, Paul J., Boca Raton Kane, Michelle B., Winter Park	10/31/2007 10/31/2009 10/31/2009	Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District Appointees: Higginbotham, Devon B., Plant City Jordon-Robinson, Joseph W., Jr., Tampa Welsh, Susan, Odessa	03/01/2008 03/01/2009 03/01/2007
Board of Professional Geologists Appointee: Pease, James W., Tampa	10/31/2009	Peace River Basin Board of the Southwest Florida Water Management District Appointees: Hageman, James L., Port Charlotte Lazzell, Rufus Colmore, Punta Gorda Trippensee, Frederick William III, Avon Park	03/01/2009 03/01/2009 03/01/2009
Board of Hearing Aid Specialists Appointee: Palombi, Patricia A., Jacksonville	10/31/2009	Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District Appointees: England, Terry Michael, Indian Rocks Beach Fischer, Rodney S., Palm Harbor	03/01/2009 03/01/2009
Governor's Mansion Commission Appointee: Price, Carol, Tallahassee	09/30/2007	[Referred to the Committee on Ethics and Elections.]	
Board of Medicine Appointee: Winchester, Gary E., Tallahassee	10/31/2007	Board of Directors, Enterprise Florida, Inc. Appointee: McDonald, Brian A., Oldsmar	07/01/2008
Board of Opticianry Appointees: Jacobs, Gary L., New Port Richey Shannon, Byron Dale, Ocala	10/31/2009 10/31/2009	[Referred to the Committees on Commerce and Consumer Services; and Ethics and Elections.]	
Board of Orthotists and Prosthetists Appointee: Moya, Roberto A., North Miami Beach	10/31/2009	Director, Office of Drug Control Appointee: Janes, William H., Tallahassee	Pleasure of Governor
Board of Osteopathic Medicine Appointee: Greenwood, Estelle, Pensacola	10/31/2009	[Referred to the Committees on Criminal Justice; and Ethics and Elections.]	
Board of Pharmacy Appointee: Garcia, Albert L., Miami	10/31/2009	Board of Governors Appointees: Arrizurieta, Jorge L., Coral Gables Desai, Akshay M., St. Petersburg Martin, Frank T., Tallahassee	01/06/2013 01/06/2013 01/06/2012
Board of Podiatric Medicine Appointee: Sindone, Joseph, Jacksonville	10/31/2009	Board of Trustees, Florida A & M University Appointees: Holmes, R. B., Jr., Tallahassee Jenkins, Leerie T., Jr., Orange Park	01/06/2011 01/06/2011
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc. Appointees: Hanas, Richard L., Oviedo Hill, Walter B., Pensacola Jimenez, Tomas A., Jacksonville Jones, Eddie E., Jr., Ponte Vedra	09/30/2009 09/30/2009 09/30/2009 09/30/2008	Board of Trustees, Florida Atlantic University Appointees: Blosser, Nancy W., Ft. Lauderdale Gupta, Rajendra P., Ft. Lauderdale Stilley, Robert J., Tequesta	01/06/2011 01/06/2011 01/06/2011
Southwest Florida Regional Planning Council, Region 9 Appointees: Carroll, Patricia, Naples Holquist, Laura A., Ft. Myers Mazzarantani, George H., Sarasota	10/01/2008 10/01/2008 10/01/2008	Board of Trustees, University of Central Florida Appointees: Calvet, Olga M., Orlando Florez, Alan, Lake Mary Klock, Phyllis, Winter Park Yochum, Thomas H., Winter Park	01/06/2011 01/06/2011 01/06/2011 01/06/2011
Board of Professional Surveyors and Mappers Appointee: Sutphin, Beverly Joeine, Monticello	10/31/2009	Board of Trustees, Florida State University Appointees: Duda, Emily F., Oviedo Garcia, Manuel A. III, Winter Springs	01/06/2011 01/06/2011
Florida Commission on Tourism Appointees: Cabrera, Carlos, Naples Craig, Sandra B., St. Augustine Doucette, Dennis M., Coral Gables Jones, Darrel C., Ft. Walton Beach	06/30/2009 06/30/2009 06/30/2009 06/30/2009	Board of Trustees, Florida Gulf Coast University Appointee: Harrington, Lindsay M., Punta Gorda	01/06/2011
Florida Transportation Commission Appointees: Criser, Marshall M. III, Coral Gables Lanahan, Martha "Marty" T., Jacksonville	09/30/2007 09/30/2009	Board of Trustees, Florida International University Appointees: Lopez, Miriam, Miami Pino, Sergio, Coral Gables Puig, Claudia, Coral Gables Sugranes, Rosa, Key Biscayne	01/06/2011 01/06/2011 01/06/2011 01/06/2011
Big Cypress Basin Board of the South Florida Water Management District Appointees: Abbott, Alicia, Marco Island Sorey, John F. III, Naples	03/01/2009 03/01/2009	Board of Trustees, New College of Florida Appointees: Presha, Walter L. "Mickey," Palmetto Raeburn, Vicki Pearthree, New York	01/06/2011 01/06/2011
Alafia River Basin Board of the Southwest Florida Water Management District Appointees: Johnson, Cheryl, Brandon Tort, J. C., Ruskin	03/01/2009 03/01/2009	Board of Trustees, University of Florida	
Coastal Rivers Basin Board of the Southwest Florida Water Management District Appointee: Perry, Elaine, Brooksville	03/01/2009		
Hillsborough River Basin Board of the Southwest Florida Water Management District			

<i>Office and Appointment</i>	<i>For Term Ending</i>	
Appointees: Alfonso, Carlos J., Tampa McGriff, W. A. III, Jacksonville	01/06/2011 01/06/2011	Deaf and the Blind students and for students exiting a Department of Juvenile Justice program; providing an effective date. —was referred to the Committees on Education; Judiciary; and Education Appropriations.
Board of Trustees, University of North Florida Appointee: Kendrick, Wanyonyi, Jacksonville	01/06/2011	By Representative Kravitz and others—
Board of Trustees, University of South Florida Appointees: Arnold, Lee E., Jr., Clearwater Cancio, Margarita R., Tampa Smith, Jan E., Bradenton	01/06/2011 01/06/2011 01/06/2011	HB 205 —A bill to be entitled An act relating to student financial assistance; providing legislative intent to expand access to postsecondary education and reduce student indebtedness; requiring each state university and community college to report information relating to certain funds used to provide financial assistance to certain students; prohibiting the use of such funds to provide financial assistance to specified foreign students; defining the term “eligible Florida resident”; providing for the redirection of funds to provide additional need-based financial assistance to eligible Florida residents; requiring a report by state universities and community colleges; providing an effective date. —was referred to the Committees on Education; Judiciary; and Education Appropriations.
Board of Trustees, University of West Florida Appointee: Godwin, Jeanne Barber, Pensacola	01/06/2011	By Representative Proctor and others—
[Referred to the Committees on Education; and Ethics and Elections.]		
Governing Board of the Northwest Florida Water Management District Appointees: Antonacci, Peter, Tallahassee Bloyd, Stephanie H., Panama City Beach Roberts, George, Panama City	03/01/2008 03/01/2010 03/01/2010	HB 429 —A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; amending s. 1002.36, F.S.; authorizing the provision of education services to district school boards upon request; revising powers and duties of the Board of Trustees for the Florida School for the Deaf and the Blind relating to requirements for expenditure of certain funds and submission of capital outlay budget requests; authorizing campus police officers to enforce traffic laws; deleting provisions authorizing bonding of campus police officers; amending s. 1013.31, F.S.; including reference to the Florida School for the Deaf and the Blind in provisions relating to educational plant surveys; providing an effective date. —was referred to the Committees on Education; Governmental Oversight and Productivity; and Education Appropriations.
Governing Board of the St. Johns River Water Management District Appointees: Hughes, Susan N., Ponte Vedra Beach Wood, W. Leonard, Fernandina Beach	03/01/2010 03/01/2010	
Governing Board of the South Florida Water Management District Appointees: Burt-Stewart, Miya, Hollywood Collins, Michael J., Islamorada	03/01/2010 03/01/2010	
Governing Board of the Southwest Florida Water Management District Appointees: Parks, Sallie, Palm Harbor Pressman, Todd, Oldsmar Rovira-Forino, Maritza, Tampa	03/01/2010 03/01/2010 03/01/2010	
Governing Board of the Suwannee River Water Management District Appointees: Jones, Georgia Cochran, Lake City Lake, Oliver J., Lake City	03/01/2010 03/01/2010	By the Fiscal Council; and Representative Berfield—
[Referred to the Committees on Environmental Preservation; and Ethics and Elections.]		

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has passed HB 75, HB 205, HB 429, HB 5025 and HB 7041; has passed as amended HB 47, HB 121, HB 191, HB 209, HB 487, HB 521, HB 1167 and HB 7087; and has passed by the required constitutional two-thirds vote of the members present HB 193 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Bilirakis and others—

HB 75—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; revising definition of the term “students with disabilities”; revising student eligibility requirements for receipt of a scholarship; revising provisions relating to scholarship funding and payment; providing funding and payment requirements for former Florida School for the

By the Committee on Choice and Innovation; and Representative Pickens and others—

HB 7041—A bill to be entitled An act relating to scholarship program accountability; amending s. 1002.39, F.S., relating to the John M. McKay Scholarships for Students with Disabilities Program; revising definition of the term “students with disabilities”; revising student eligibility requirements for receipt of a scholarship and restricting eligibility therefor; providing for term of a scholarship; revising and adding school district obligations and clarifying parental options; revising and adding Department of Education obligations, including verification of eligibility of private schools and establishment of a process for notification of violations, subsequent inquiry or investigation, and certification of compliance by private schools; providing Commissioner of Education authority and obligations, including the denial, suspension, or revocation of a private school's participation in the scholarship program and procedures and timelines therefor; revising private school eligibility and obligations, including compliance with specified laws and academic accountability to the parent; revising parent and student responsibilities for scholarship program participation; prohibiting power of attorney for endorsing a scholarship warrant; revising provisions relating to scholar-

ship funding and payment; providing funding and payment requirements for former Florida School for the Deaf and the Blind students and for students exiting a Department of Juvenile Justice program; providing Department of Financial Services obligations; amending s. 220.187, F.S., relating to credits for contributions to nonprofit scholarship-funding organizations; revising and providing definitions; naming the Corporate Income Tax Credit Scholarship Program; providing student eligibility requirements for receipt of a corporate income tax credit scholarship and restricting eligibility therefor; revising provisions relating to tax credit for small businesses; providing for adjustment of the total amount of tax credits and carryforward of tax credits; providing for rescindment of tax credit allocation; revising and adding obligations of eligible nonprofit scholarship-funding organizations, including compliance with requirements for background checks of owners and operators, scholarship-funding organization ownership or operation, carryforward and transfer of funds, audits, and reports; specifying background screening requirements and procedures; requiring certain information to remain confidential in accordance with s. 213.053, F.S.; revising and adding parent and student responsibilities for scholarship program participation, including compliance with a private school's published policies, participation in student academic assessment, and restrictive endorsement of scholarship warrants; prohibiting power of attorney for endorsing a scholarship warrant; revising and adding private school eligibility requirements and obligations, including compliance with specified laws and academic accountability to the parent; revising and adding Department of Education obligations, including verification of eligibility of program participants, establishment of a process for notification of violations, subsequent inquiry or investigation, certification of compliance by private schools, and selection of a research organization to analyze student performance data; providing Commissioner of Education authority and obligations, including the denial, suspension, or revocation of a private school's participation in the scholarship program and procedures and timelines therefor; revising and adding provisions relating to scholarship funding and payment, including the amount of a scholarship and the payment process; requiring adoption of rules; creating s. 1002.421, F.S., relating to rights and obligations of private schools participating in state school choice scholarship programs; providing requirements for participation in a scholarship program, including compliance with specified state, local, and federal laws and demonstration of fiscal soundness; requiring restrictive endorsement of a scholarship warrant and prohibiting power of attorney for endorsing a warrant; requiring employment of qualified teachers and background screening of employees and contracted personnel with direct student contact; specifying background screening requirements and procedures; providing scope of authority; requiring adoption of rules; providing an effective date.

—was referred to the Committees on Education; Judiciary; Government Efficiency Appropriations; Education Appropriations; and Ways and Means.

By Representative Greenstein and others—

HB 47—A bill to be entitled An act relating to hurricane preparedness; providing an exemption from the sales and use tax for sales of certain tangible personal property for a certain period; providing an exception for sales within certain facilities; authorizing the Department of Revenue to adopt certain rules; providing an appropriation; providing for reversion and reappropriation of a certain unexpended balance; providing an effective date.

—was referred to the Committees on Domestic Security; Commerce and Consumer Services; General Government Appropriations; and Ways and Means.

By Representative Bendross-Mindingall and others—

HB 121—A bill to be entitled An act relating to transportation facility designations; designating Osun's Village and African Caribbean Cultural Arts Corridor in Miami-Dade County; designating Burl Marler Walkway in Okaloosa County; designating Dr. Phillip A. Payne Bridge in Escambia County; designating Carlos C. Lopez-Aguilar Way, Reverend Samuel Atchison Boulevard, Toussaint L'Ouverture Boulevard, Reverend Gerard Jean-Juste Boulevard, and the Adam Leigh Cann Building in Miami-Dade County; repealing s. 6, ch. 2003-296, Laws of

Florida, relating to a prior designation of Toussaint L'Ouverture Boulevard; A.B. Martin Street, and designating Senator N. Ray Carroll Memorial Interchange in Osceola County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Representative Bogdanoff and others—

HB 191—A bill to be entitled An act relating to guardianship; amending s. 737.2065, F.S.; excepting the contesting of trust validity by property guardians of incapacitated settlors from a prohibition against commencing certain actions; amending s. 744.107, F.S.; revising provisions relating to court monitors; requiring orders of appointment and monitors' reports to be served upon certain persons; authorizing the court to determine which persons may inspect certain orders or reports; authorizing the court to enter any order necessary to protect a ward or ward's estate; requiring notice and hearing; authorizing a court to assess certain costs and attorney's fees under certain circumstances; creating s. 744.1075, F.S.; authorizing a court to appoint a court monitor on an emergency basis under certain circumstances; requiring the court to make certain findings; specifying a time period for a monitor's authority; providing for extending such time period; requiring the monitor to report findings and recommendations; providing duties of the court relating to probable cause for the emergency appointment; authorizing the court to determine which persons may inspect certain orders or reports; providing requirements for a court order to show cause for the emergency appointment; authorizing the court to issue certain injunctions or orders for certain purposes; requiring the court to provide copies of such injunctions or orders to all parties; authorizing the court to impose sanctions or take certain enforcement actions; providing for payment of reasonable fees to the monitor; prohibiting certain persons from receiving certain fees; authorizing a court to assess certain costs and attorney's fees under certain circumstances; amending s. 744.331, F.S.; requiring a court to determine whether acceptable alternatives to guardianship of incapacitated persons exist under certain circumstances; requiring appointment of a guardian if no alternative exists; prohibiting such appointment if an alternative exists; specifying circumstances of nonexistence of an alternative; preserving certain court authority to determine exercise of certain powers of attorney; amending s. 744.441, F.S.; requiring a court to make certain findings in a ward's best interest before authorizing a guardian to bring certain actions; requiring a court to review certain continuing needs for guardians and delegation of a ward's rights; creating s. 744.462, F.S.; requiring guardians to immediately report certain judicial determinations in certain guardianship proceedings; requiring a court to review certain continuing needs for guardians and delegation of a ward's rights under certain circumstances; providing an effective date.

—was referred to the Committee on Judiciary.

By Representative Brummer and others—

HB 209—A bill to be entitled An act relating to the annual intangible personal property tax; repealing ss. 199.012, 199.023, 199.032, 199.033, 199.042, 199.052, 199.057, 199.062, 199.103, 199.1055, 199.106, 199.175, and 199.185, F.S., relating to the annual intangible personal property tax; amending s. 199.303, F.S.; providing additional legislative intent relating to the annual intangible personal property tax; amending ss. 28.35, 192.0105, 192.032, 192.042, 192.091, 193.114, 196.015, 196.199, 199.133, 199.183, 199.218, 199.232, 199.282, 199.292, 212.02, 213.053, 213.054, 213.27, 220.1845, 376.30781, 493.6102, 650.05, 655.071, and 733.702, F.S., to conform provisions to the repeal of the annual intangible personal property tax; providing for application of certain collection, administration, and enforcement provisions to taxation of certain leaseholds; authorizing the Department of Revenue to adopt emergency implementing rules for a certain time; providing effective dates.

—was referred to the Committees on Commerce and Consumer Services; Banking and Insurance; Government Efficiency Appropriations; and Ways and Means.

By Representative Robaina and others—

HB 487—A bill to be entitled An act relating to the Commission for the Transportation Disadvantaged; amending s. 427.012, F.S.; revising the membership of the commission; establishing term limits; directing each member of the commission to serve without regional bias; providing qualifications for appointment to membership on the commission; providing for nonvoting advisory members; requiring candidates for appointment to the commission to meet certain standards for background screening; requiring the Department of Transportation to inform the commission if a candidate fails to meet the screening standards; providing that costs of screening be borne by the department or the candidate for appointment; authorizing the commission to appoint technical working groups; providing for membership of the working groups; amending s. 427.013, F.S.; requiring the commission to develop a transportation fund allocation methodology for certain purposes; specifying methodology criteria; preserving Agency for Health Care Administration authority to distribute Medicaid funds; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Productivity; and Transportation and Economic Development Appropriations.

By Representative Hukill and others—

HB 521—A bill to be entitled An act relating to probate; amending s. 655.935, F.S.; revising procedures relating to opening a decedent's safe-deposit box; amending s. 655.936, F.S.; revising procedures relating to delivery of a decedent's safe-deposit box by lessor; amending s. 655.937, F.S.; revising procedures relating to granting access to safe-deposit boxes leased in two or more names; amending s. 732.2135, F.S.; revising provisions relating to time of filing or withdrawing certain estate share elections; amending s. 732.402, F.S.; revising procedures relating to filing petitions for determinations of exempt property; amending s. 733.212, F.S.; revising procedures and requirements relating to notices of administration and petitions for relief; amending s. 733.6065, F.S.; revising procedures relating to the opening of a safe-deposit box leased or co-leased by decedent; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Representative Bean and others—

HB 1167—A bill to be entitled An act relating to sexual predators; creating s. 794.075, F.S.; prohibiting a sexual predator from possessing prescription erectile dysfunction drugs in certain circumstances; providing criminal penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; and Health Care.

By the Committee on PreK-12; and Representative Arza and others—

HB 7087—A bill to be entitled An act relating to education; amending s. 11.90, F.S.; authorizing the Legislative Budget Commission to review a state plan to implement federal requirements; amending s. 20.15, F.S.; establishing the Division of Accountability, Research, and Measurement in the Department of Education; amending s. 411.227, F.S.; conforming provisions relating to student progress monitoring plans; amending s. 1000.03, F.S.; revising the mission of the state's K-20 education system; repealing s. 1000.041, F.S., to conform provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program; amending s. 1001.02, F.S.; requiring legislative review of a revised state plan to implement certain federal requirements; amending s. 1001.03, F.S.; requiring periodic review of Sunshine State Standards subject areas and an annual status report; requiring rules for certain teachers to earn a reading credential equivalent; requiring the maintenance of a uniform school district personnel classification system; amending s. 1001.10, F.S.; requiring legislative review of a revised state plan to implement certain federal requirements; creating s. 1001.215, F.S.; creating the Just Read, Florida! Office in the Department of Education;

providing duties; amending s. 1001.33, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program; amending s. 1001.41, F.S.; requiring district school boards to adopt standards and policies to provide each student a complete education program; amending s. 1001.42, F.S.; providing a district school board requirement relating to the opening date of the school year; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program; providing requirements for each school district's system of school improvement and student progression; revising requirements for school improvement plans; requiring alignment with the Sunshine State Standards; revising format and content of public disclosure reports; conforming provisions relating to deletion of a rigorous reading requirement and the designation of school grades; requiring measures for reducing paperwork, data collection, and reporting requirements; requiring a school district task force to reduce paper and electronic reporting requirements; repealing s. 1001.51(24), F.S., and amending s. 1001.54, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program; revising provisions relating to duties of school principals; amending s. 1002.20, F.S.; conforming provisions relating to student progress monitoring plans; amending s. 1003.01, F.S.; revising definition of the term "special education services"; amending s. 1003.03, F.S.; authorizing use of co-teaching or team teaching as an option to meet the constitutional class size maximums and to determine the teacher-to-student ratio per classroom under certain circumstances; amending s. 1003.05, F.S.; deleting the requirement that certain children receive preference for admission to special academic programs even if maximum enrollment has been reached; revising programs defined as "special academic programs" for purposes of such preference; amending s. 1003.21, F.S.; requiring student exit interviews prior to terminating school enrollment; creating s. 1003.413, F.S., relating to secondary school reform; providing intent and guiding principles; requiring district school boards to establish policies to implement requirements for middle grades promotion, revised requirements for high school graduation, and requirements for career and professional academies; requiring policy approval and department support for implementation; directing the Commissioner of Education to create and implement the Secondary School Improvement Award Program; repealing s. 1003.415, F.S., the Middle Grades Reform Act; creating s. 1003.4156, F.S.; providing general course requirements for middle grades promotion; requiring intensive reading and mathematics courses in certain circumstances; authorizing rulemaking and enforcement; amending s. 1003.42, F.S.; providing for required instruction for middle grades promotion; creating s. 1003.428, F.S.; establishing revised general requirements for high school graduation; providing applicability beginning with 2007-2008 first-year high school students; requiring completion of specified credits or a specified curriculum; requiring strategies for exceptional students to meet graduation requirements; requiring standards for graduation; requiring rules for test accommodations and modifications in certain cases; providing requirements for standard diplomas and certificates of completion with exceptions; authorizing rulemaking and enforcement; amending s. 1003.437, F.S.; including middle grades in the uniform grading system; repealing s. 1003.492(3) and (4), F.S., relating to department studies of student performance in industry-certified career education programs; creating s. 1003.493, F.S.; defining career and professional academies and specifying goals of the academies; providing requirements of academies relating to curriculum, partnerships, instruction, career education certification, and evaluation; amending s. 1003.51, F.S.; conforming provisions relating to student progress monitoring plans; amending s. 1003.52, F.S.; conforming provisions relating to student progress monitoring plans; amending s. 1003.57, F.S.; providing guidelines for determining the residency of a student who receives instruction as an exceptional student with a disability; requiring the student's placing authority or parent to pay the cost of such instruction, facilities, and services; providing responsibilities of the department; providing responsibilities of residential facilities that educate exceptional students with disabilities; providing applicability; creating s. 1003.576, F.S.; requiring the department to develop an individual education plan form for use in developing and implementing individual education plans for exceptional students; requiring school districts to use the form; amending s. 1003.58, F.S.; correcting a cross-reference; amending s. 1003.62, F.S.; conforming provisions relating to the designation of school grades and differentiated pay for school administrators and instructional personnel; creating s. 1004.99, F.S., the Florida Ready to Work Certification Program to enhance student workplace skills; providing for program implementation and requirements; authorizing rulemaking; amending s. 1006.09, F.S.; conforming provisions relating to differentiated pay; amending s. 1007.2615, F.S.; revising

provisions for certification of American Sign Language teachers; amending s. 1008.22, F.S.; specifying FCAT grade level and subject area testing requirements; requiring documentation of procedures that ensure test difficulty under certain circumstances; providing that FCAT nonallowable accommodations may be used as instructional accommodations during classroom instruction if included in the individual education plan of a student with a disability; authorizing waiver of the FCAT under certain circumstances; requiring certain opportunities for demonstrating student performance; requiring the development of assessments for measuring the academic competency of students with disabilities; requiring the Commissioner of Education to adopt scores concordant to FCAT scores required for high school graduation; authorizing use of concordant scores for additional purposes; clarifying eligibility to use such scores to satisfy requirements for a diploma; requiring an annual report on student performance; repealing s. 1008.221, F.S., relating to alternative assessments for dependent children of military personnel, to conform; amending s. 1008.25, F.S.; replacing student academic improvement plans with progress monitoring plans; authorizing district school boards to require low-performing students to attend remediation programs outside of regular school hours or during the summer; requiring the department to establish a uniform format for reporting information relating to student progression; requiring an annual report; repealing s. 1008.301, F.S., relating to a concordance study of FCAT equivalencies for high school graduation; amending s. 1008.31, F.S.; revising intent, goals, and measures of the K-20 performance accountability system and requiring data quality improvements; requiring adoption of rules; amending s. 1008.33, F.S.; conforming a cross-reference and provisions relating to the designation of school grades; authorizing principals to recommend corrective actions for low-performing faculty and staff at "F" graded schools and publication of a school's grade; amending s. 1008.34, F.S.; revising terminology and provisions relating to designation and determination of school grades; providing for school grading of feeder pattern schools; defining a feeder pattern school; providing for school grading for alternative schools and specifying requirements related thereto; defining the term "home school" for purposes of assessment; requiring an annual school report card to be published by the department and distributed by school districts; creating s. 1008.341, F.S.; providing for school improvement ratings for certain alternative schools; providing the basis for such ratings and requiring annual performance reports; providing for determination of school improvement ratings, identification of student learning gains, and eligibility for school recognition awards; requiring the development and distribution of an annual school report card; authorizing adoption of rules; amending s. 1008.345, F.S.; conforming a cross-reference and provisions relating to the designation of school grades; providing conditions for determination of a school district or a governing board with a school in a state of educational emergency; providing procedures to resolve the educational emergency, including state assistance; authorizing establishment of an educational emergency board and providing duties thereof; providing for an action plan to implement recommendations; amending s. 1008.36, F.S.; authorizing certain feeder pattern schools and alternative schools to participate in the Florida School Recognition Program; modifying procedures for determination and use of school recognition awards; amending s. 1011.62, F.S.; providing FTE funding for juveniles enrolled in specified education programs; conforming cross-references and provisions relating to the designation of school grades; establishing a research-based reading instruction allocation to provide funds for a comprehensive reading instruction system; requiring school district plans for use of the allocation and approval thereof; including the allocation in the total amount allocated to each school district for current operation; amending s. 1011.64, F.S.; conforming terminology and a cross-reference; amending s. 1011.67, F.S.; requiring district school board approval of a staff development plan relating to use of instructional materials; amending s. 1011.685, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program and implementation of differentiated pay; amending s. 1011.71, F.S.; correcting a cross-reference; amending s. 1012.21, F.S.; requiring department reporting relating to school district collectively bargained contracts and the salary and benefits of certain personnel; amending s. 1012.22, F.S.; revising a district school board deadline for acting on certain personnel nominations; requiring each district school board to adopt a salary schedule with differentiated pay for instructional personnel and school-based administrators beginning with the 2007-2008 academic year; creating s. 1012.2315, F.S.; providing school district requirements for the assignment of teachers and providing procedures for noncompliance; requiring reporting by certain schools; amending s. 1012.27, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program and implementation of differentiated pay;

amending s. 1012.28, F.S.; conforming provisions relating to differentiated pay; amending s. 1012.34, F.S.; conforming provisions relating to deletion of a rigorous reading requirement; amending s. 1012.56, F.S.; encouraging school districts to provide mechanisms for teachers to obtain subject area coverage for middle grades; creating s. 1012.986, F.S.; establishing the William Cecil Golden Professional Development Program for School Leaders; defining the term "school leader"; providing for school leader designations; providing program requirements and delivery systems; requiring adoption of rules; repealing s. 1012.987, F.S., which requires the State Board of Education to adopt rules through which school principals may earn a leadership designation; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Education Appropriations.

By Representative Bogdanoff—

HB 193—A bill to be entitled An act relating to public records exemptions; creating s. 744.1076, F.S.; creating exemptions from public records requirements for certain court records relating to appointment of certain court monitors, reports of such monitors, and determinations and orders of a court relating to findings of no probable cause; providing for future legislative review and repeal; providing findings of public necessity; providing a contingent effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; and Rules and Calendar.

RETURNING MESSAGES ON HOUSE BILLS

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has refused to concur in the Senate Amendment to HB 5001, HB 5003, HB 5005, HB 5007, HB 5009, HB 5011, HB 5013, HB 5017, HB 5019, HB 5021 and HB 5023; and acceded to the request that a conference committee be appointed. The Speaker has appointed the following Representatives as conferees on the part of the House: At Large: Rep. Negron, Chair, Rep. Mahon, Vice Chair, and Reps. Gardiner, Waters, Goodlette, Rubio, Bowen, Brummer, Simmons, Greenstein, Jennings, Seiler, Ryan, and Sansom; Agriculture & Environment: Rep. Mayfield, Chair, and Reps. Brown, Littlefield, Hays, Poppell, Machek, Stansel, Kendrick (Alternate), Williams, and Evers; Education: Rep. Pickens, Chair, and Reps. Rivera, Attkisson, Baxley, Flores, Altman, Arza, Stargel, Vana, Bendross-Mindingall, Richardson, Justice (Alternate), Patterson, Coley, and Mealar; Health & Human Services: Rep. Bean, Chair, and Reps. Benson, Cannon, Farkas, Galvano, Garcia, Murzin, Gannon, Sobel, Grimsley (Alternate), Roberson (Alternate), Grant, and Hukill; Criminal Justice: Rep. Barreiro, Chair, and Reps. Adams, Ambler, Needelman, Joyner, and Porth; Judiciary: Rep. Kottkamp, Chair, and Reps. Ross (Alternate), Planas, Gelber, and Zapata; State Administration: Rep. Berfield, Chair, and Reps. Carroll, Kreegel, Reagan, Lopez-Cantera (Alternate), A. Gibson (Alternate), Taylor, and Holloway; Transportation & Economic Development Appropriations: Rep. D. Davis, Chair, and Reps. M. Davis, Kravitz, Llorente, Traviesa, Ausley, Cusack, McInvale (Alternate), and Bogdanoff.

John B. Phelps, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 6 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—CS for SB 1292; Aronberg—CS for SB 1292; Crist—CS for CS for SB 250, CS for SB 378, CS for SB 508, SB 878, SR 1108, CS for SB 1290, CS for SB 1430, SB 1844, CS for SB 1912, CS for CS for SB 2020, CS for SB 2084, CS for SB 2110; Dawson—SB 344, SB 610; Geller—SB 2458; Haridopolos—CS for SB 1292; King—CS for SB 1292; Klein—SB 776; Lynn—CS for SB 1590, CS for SB 1912, CS for SB 2084, CS for SB 2728; Miller—CS for SB 436, SB 558, CS for CS for SB 786, SB 910, SB 1896, SB 2142, SR 2362, SB 2440, SB 2554, SB 2648; Pruitt—SB 714; Rich—CS for CS for CS for SB 1826; Saunders—CS for

SB 1292; Sebesta—SR 1108; Smith—CS for SB 1292, SB 1728; Wise—CS for SB 1292

Senator Margolis withdrew as introducer of CS for CS for SB 1030.

Senator Wise was recorded as introducer of CS for CS for SB 1030.

RECESS

On motion by Senator Pruitt, the Senate recessed at 12:09 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, April 20 or upon call of the President.

SENATE PAGES

April 17-21, 2006

Allison Anderson, Freeport; Matthew Baker, Tallahassee; Jonathan Barrett-Pinnock, Plantation; April Baucham, Monticello; Shane Boyar, Cooper City; Holly Dunn, Ponce de Leon; Maya Gaines, Tallahassee; Brittany Hadley, Tallahassee; Morgan Harvey, Jacksonville; Martha Hodgson, Sarasota; Joseph Humphrey, Palmetto; Sophia “Sophy” Ibrahim, Brandon; Timothy Lassiter, Jacksonville; Amelia “Millie” Mathis, Marianna; Tim McCurdy, Hollywood; Alyssa “Lyssy” Morgan, River-view; Sidnie Patterson, Tampa; Krista Sellers, Tallahassee; Dara Silverman, Miami; Cory Walker, Lithia; Michael Yaros, Winter Park